

IMPLEMENTATION OF THE TELEVISION PROGRAM IMPROVEMENT ACT OF 1990

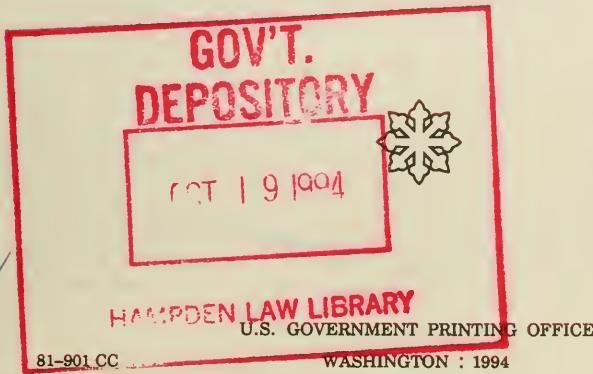
JOINT HEARINGS
BEFORE THE
SUBCOMMITTEE ON THE CONSTITUTION
AND THE
SUBCOMMITTEE ON JUVENILE JUSTICE
OF THE
COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE
ONE HUNDRED THIRD CONGRESS
FIRST SESSION
ON

THE IMPLEMENTATION OF THE TELEVISION PROGRAM IMPROVEMENT
ACT OF 1990, FOCUSING ON CERTAIN TELEVISION NETWORK STAND-
ARDS ON VIOLENCE IN ENTERTAINMENT PROGRAMS

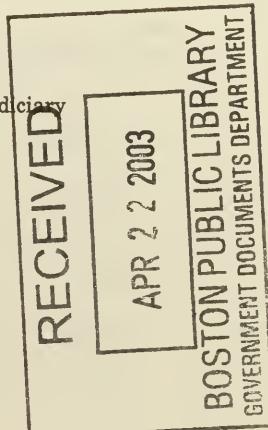
MAY 21 AND JUNE 8, 1993

Serial No. J-103-13

Printed for the use of the Committee on the Judiciary



WASHINGTON : 1994



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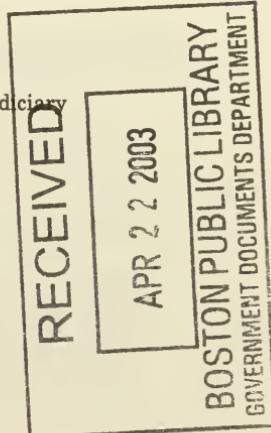
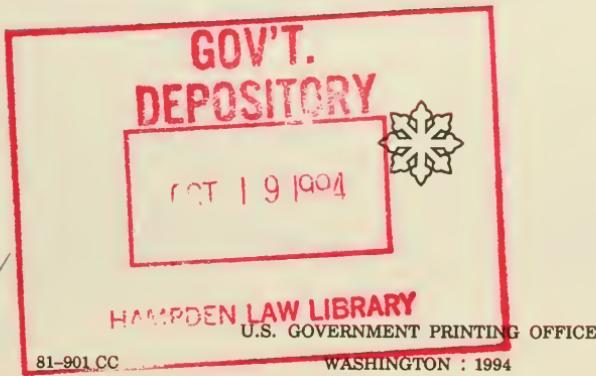
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IMPLEMENTATION OF THE TELEVISION PROGRAM IMPROVEMENT ACT OF 1990

FRIDAY, MAY 21, 1993

**U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON THE CONSTITUTION,
*Washington, DC.***

The committee met, pursuant to notice, at 10:04 a.m., in room 226, Dirksen Senate Office Building, Hon. Paul Simon (chairman of the subcommittee), presiding.

Also present: Senators Metzenbaum and Feinstein (ex officio).

OPENING STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Senator SIMON. The subcommittee will come to order. We are holding hearings on the question of television violence and what can and should be done about this.

There is no longer any question about the harm that television violence does. That is one point that was debated. I don't find anyone debating that question anymore.

Two-and-a-half years ago, the industry was given an exemption under the antitrust laws to get together to establish standards in an attempt to see what we can do on a voluntary basis to solve this problem. The question today is where are we and will the industry respond adequately.

Only three nations, Japan, Germany, and the United States, have no censorship of television and movies. I regard that as an asset. Everyone in the United States does not regard that as an asset. There is national recognition of the problem and the question is whether we are going to deal with it in a responsible way.

Last week's New Yorker magazine quotes Hollywood producer Lawrence Gordon:

I'd be lying if I said that people don't imitate what they see on the screen. I would be a moron to say that they don't because look how dress styles change. We have people who want to look like Julia Roberts, Michelle Pfeiffer, and Madonna. Of course, we imitate. It would be impossible for me to think that they would imitate our dress, our music, our look, but not imitate any of our violence or other actions.

Children imitate. I have a 3-year-old granddaughter. I see her imitating what is on television. Children watch an average 27 hours per week of television, and in some inner city areas, that goes as high as 11 hours a day.

The American Psychological Association—we will be hearing from them today—last year reported that accumulated research clearly demonstrates a correlation between viewing violence and

aggressive behavior; that is, heavy viewers behave more aggressively than light viewers. Children and adults who watch a large number of aggressive programs also tend to hold attitudes and values that favor the use of aggression to solve conflicts.

Dr. Brandon Centerwall, who will be one of our witnesses today, had the results of his study published in the American Medical Association Journal on June 10 last year, and he said in his article, among other things:

Infants have instinctive desire to imitate observed human behavior. They do not possess an instinct for gauging *a priori* whether a behavior ought to be imitated. They will imitate anything, including behavior that most adults would regard as destructive and antisocial. Up through ages 3 and 4, many children are unable to distinguish fact from fantasy in television programs and remain unable to do so despite adult coaching. In the minds of such young children, television is a source of entirely factual information regarding how the world works.

And then he reached this dramatic conclusion:

Long-term childhood exposure to television is a causal factor behind approximately 10,000 homicides annually. If, hypothetically, television technology had never been developed, there would be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes, and 700,000 fewer injurious assaults.

That is pretty powerful medicine. TV Guide asked for a study by the Center for Media and Public Affairs on 1 day of television last year. In 1 day of television, they measured 389 serious assaults excluding use of guns; 362 gunplay items; 273 isolated punches; 272 incidents of pushing and dragging; menacing threat with a weapon, 226; 128 slaps; deliberate property destruction, 95; simple assault, 73; all other types, 28, for a total of 1,846.

The Congressional Quarterly Researcher says the year 1992 set an all-time record for violence in children's shows.

According to Harvard University psychologist Ron Slaby:

The harm caused by violence in the media goes beyond increasing aggression. Youngsters also experience a victim effect, increased fearfulness of becoming a victim and a bystander effect, increased callousness toward violence directed at others.

According to the Times-Mirror poll done this year, 72 percent of Americans think that television shows contain too much violence. Eighty percent of those surveyed felt that violence was harmful to society. This is all on the negative side.

On the positive, the industry has come together. The three networks handed me standards in December that they agreed upon in the area of violence that will affect fall programming of this coming year. And I have to say, as I look at the fall programming, with the exception of the movies because I can't tell what they are going to be, the fall programming does look less violent.

And it is not simply the standards. Frankly, the standards are fairly subjective. They are not like the British standards where they are measure-specific incidents, the standards including clued phrases like "no gratuitous violence." And one cynic told me violence that makes money won't be gratuitous. I don't think that is the case. But there are cynics out there who don't believe that the standards really will result in fundamental change.

What encourages me is, frankly, the reaction of some of the people in the industry, including one of the witnesses today, Howard Stringer, president of CBS Broadcast Group, who recently stated,

"It is hard not to think that broadcasters had some role in making the U.S. a more violent nation." That attitude encourages me.

I am also encouraged by the fact that cable is inching ahead. I have to say it has not gone as far as the broadcast industry has up to this point, but it is inching ahead.

The concern expressed in other countries is encouraging. In New Zealand, where 64 percent of the drama on television originated in America, the New Zealand Mental Health Foundation has called for reduction of the number of U.S. television programs. According to one of the group's recent surveys, the imported American television programs are three times more violent than that of other countries.

The recent Christian Science Monitor article pointed out that one of the best-known children's programs in this country has two versions. One version has violence in it; that is shown in the United States. The other version eliminates the violence; that is shown in all the rest of the world. Now, how often that may be the case, how many other programs, I don't know, but that is the kind of thing that I find very discouraging.

I am concerned also about promotions and the reality shows. We are going to show 4½ minutes of promotions and I think a little bit from some of the other programs that are coming up.

[Videotape shown.]

Senator SIMON. Tom Shales, the movie critic for the Washington Post, noted on May 1, "The networks in their madness are going to put America through the ringer with one bloody mess after another this month." He called May "Murder Month." One other writer calls it "Mayhem May."

Howard Rosenberg, movie critic for the Los Angeles Times, described it this way, "It is a time when much of prime time again will resemble Murder, Inc. It starts with a bloody binge that yields not 1, not 2, not 3, but a whopping 11 bodies." He wrote that in April.

"Murder in the Heartland," you just saw a preview on that. The Washington Post reports that an 18-year-old Canadian saw it and repeated the murders in the same way that he saw on that movie.

On the positive side, again, the industry has called a meeting for August 2 in Los Angeles where broadcast, cable, and the film industry will come together. Jack Valenti called me immediately after the announcement of the program and said, "We recognize we have problems. We are going to participate." I forgot how many people have been invited from the movie industry, but a great many, and Jack Valenti has twice been up to my office discussing this whole problem with me.

We face, ultimately, it seems to me, a choice of censorship or responsible voluntary conduct and, clearly, the better answer is responsible voluntary conduct. We don't want to stifle creativity, but we have to recognize in this free society we have a problem.

Before I call on the first witnesses here, let me call on my colleagues for any opening statements. And let me just say two of the witnesses are from North Dakota. This is not just a problem in Chicago or Boston or Los Angeles or Cleveland. This is a problem all across America.

Senator Metzenbaum?

OPENING STATEMENT OF HON. HOWARD M. METZENBAUM, A U.S. SENATOR FROM THE STATE OF OHIO

Senator METZENBAUM. Mr. Chairman, I came over to express my appreciation to you for your leadership in this area. You have raised the profile of this issue, raised the concerns of those of us in the Congress. Congressman Markey has done the same. Kent Conrad and Senator Dorgan have also been involved. But you have been the champion and you have led the way, and you have said to the industry, come, let's reason together and let's see if we can work it out. When they said that they couldn't reason together because they were concerned about the antitrust implications, you came. We worked out together on the Antitrust Committee and put through the Congress an exemption that made it possible for them to sit down and talk. But the fact is that *tempus fugit*. Time moves on. And, really, their talk at this point is far better than their action.

I am aware of the fact that this meeting is going to be taking place, and I am hopeful that it is productive. I am also aware of the fact that Tom Shales had a subsequent article—I think it was today, as a matter of fact—in which he says, "Murder Month is almost over, but the networks still have a few more violent crime movies to sneak in before the May ratings sweep in."

This week NBC offers "In the Line of Duty"; "Ambush in Waco," which you saw a promo for, a movie erected on the ashes of the Branch Dividian tragedy in Texas. ABC airs "Deadly Relations," the sordid saga of a monstrous drug-addicted dad.

I have been around here long enough to know that sometimes problems go on, and those in the industry think that they can hire the best or the highest-paid lobbyists and somehow keep Congress from acting. But I think the turnout for this hearing this morning of five Senators indicates a tremendous interest in the subject, and the Congressperson who is the leader in the House on this issue indicates that we are not going to just stand by and twiddle our thumbs. We are not going to wait until they get around to doing something about it.

It is not alone the glorification of violence that creates the problems. Besides the fact that it desensitizes brutality, it sends a message that violence is an acceptable way to resolve conflict and solve problems.

There is something wrong with an industry that puts on the tube so much negative material that my grandchildren are precluded from turning on the TV sets by their parents because they don't want them to see all of that violence. I don't want them to see all of that violence.

The TV industry ought to recognize one thing and never forget it. They don't own the airwaves. They just have franchises, and what Congress giveth, Congress can take away. I am getting to the point, in my own view, that if we can't stop it any other way, maybe we find a way to take back some of those TV franchises that are presently in the hands of the networks, as well as the local stations.

The responsibility in the main belongs at the network level, but I think we have had enough. I think yesterday was too late. I am

thankful to you for all that you have done. We haven't finished the problem, but, with your leadership, I think we will get it done.

Thank you once again.

Senator SIMON. Thank you, Senator Metzenbaum.

Senator Feinstein?

**OPENING STATEMENT OF HON. DIANNE FEINSTEIN, A U.S.
SENATOR FROM THE STATE OF CALIFORNIA**

Senator FEINSTEIN. Mr. Chairman, I also want to join with my colleague, Senator Metzenbaum, in thanking you for your leadership and saying you have gained one Senator to follow in this cause. I have learned through almost 30 years now in public life that the increase of violence on television is fueling violence in the home, in the schools, and on our streets. I want to thank Senators Conrad and Dorgan and Representative Markey for being part of this.

I am here to listen and to learn. But, to be honest, Mr. Chairman, I am much less interested in proof of causality in numbers than I am in common sense. Let's be frank. Kids see a lot of violence on television and in the movies. It sells, so it is there.

We also know, beyond question, that children are marvelous mimics. It is that innate capacity which helps them assimilate a large number of social and behavioral cues that we adults provide as we raise our children.

So you don't need numbers to add this one up, Mr. Chairman. I believe children are influenced by what they see, and what they are seeing today is aggressive, it is violent, it is bloody, and it is gratuitous. You can learn more about how to use a weapon by watching television than if you go to any police firing range. That is a fact. I have done it. I have seen it. I have learned how to break down and set up weapons, learned the various characteristics of weapons, just by watching movies and sitcoms on television.

As a member of this full committee, I want you to know that I am very interested. I am looking forward to hearing the testimony of others today and I will be with you as we go downstream and try to do what we can to curb the violence on television.

Thank you very much.

Senator SIMON. Thank you.

When you mention that violence sells, there is also evidence that nonviolence sells, also. It is a little bit like a nuclear arms agreement. If we can get an agreement that no one is going to exceed certain standards, then no one benefits by that. Just assuming that violence sells, however, we have to have a higher standard than what sells. I think that is the bottom line.

Unless any of you have wishes to the contrary, I am going to call on you in the order of your appearance here. So, Senator Conrad, you were the first here, and we will call on our colleague from North Dakota, Senator Conrad.

PANEL CONSISTING OF THE HONORABLE KENT CONRAD, A U.S. SENATOR FROM THE STATE OF NORTH DAKOTA; THE HONORABLE EDWARD J. MARKEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MASSACHUSETTS; AND THE HONORABLE BYRON L. DORGAN, A U.S. SENATOR FROM THE STATE OF NORTH DAKOTA

STATEMENT OF HON. KENT CONRAD

Senator CONRAD. Thank you very much, Mr. Chairman. First of all, thank you very much for holding this hearing because I think it is an important one. Most of all, I want to thank you for the leadership that you have provided on this issue.

I must say that I personally was moved to act, after listening to you, in Virginia at the Democratic Senators retreat there just a few weeks ago because after my own family has experienced violence here in this city, listening to your explanation of the effect of television violence moved me to act to try to reduce the level of violence in our society.

Mr. Chairman, you have provided the industry with a window of opportunity to act to reduce the level of violence on television, in the movies and to do so voluntarily.

Mr. Chairman, you have given this industry an opportunity they ought to take because, if my constituency is any measure, if they fail to act, someone is going to act for them.

Mr. Chairman, this issue is important to the country. There is simply too much violence, and violence in the media is contributing to violence in our society. The examples abound.

From the 13-year-old in California who murdered a friend's father and then poured salt in his wounds because he said he had seen it on TV, to the 26 young men and boys who killed themselves playing Russian roulette after watching a movie on television that showed the same thing—to example after example, we know there is a connection. We don't need any more scientific studies. Common sense tells us that the repetition of violence on television and in the movies is having an impact on the young people and even the not-so-young in our society.

Mr. Chairman, at the very time the FBI is telling us that juvenile violent crime is soaring, we are also seeing an epidemic of television violence.

The American Psychological Association tells us by the time a child is 12 years old, they will have witnessed 100,000 acts of violence on television, including 8,000 murders.

Mr. Chairman, you referenced Tom Shales indicating that May was Murder Month. I brought along a chart that shows the advertisements from TV Week just for 1 week. The cover, "Tale of a Nebraska Killing Spree;" inside, "Black Widow Murders;" "Murder in the Heartland;" "Visions of Murder;" murder, murder, murder. How can it not have an effect?

Mr. Chairman, you are also quite right to point out that life imitates art because, next to the ads from TV Week, we have the story of what happened in Manitoba. A young man, 18 years old, kills his 13-year-old girlfriend's mother and her brother days after watching "Murder in the Heartland," the story of Charles

Starkweather, who at age 17 killed his 14-year-old girlfriend's mother and her stepfather and her sister.

Mr. Chairman, enough is enough. The tape that you showed, I think, demonstrated better than anything we can say how things have gone too far. Enough is enough.

Mr. Chairman, after listening to you in Virginia, I went home to North Dakota and called together educators, law enforcement, people who advocate for children, and church leaders. We decided to start a petition drive to influence the executives who are meeting in August. After I saw the outpouring of interest in my State, I came back to Washington and called a national group together, again, including law enforcement, educators, church leaders, advocates for children. We have agreed to start a national coalition, and we will be announcing a drive the first week of June. I very much hope everyone here will be involved.

Let me just close by saying, Mr. Chairman, you are the one who has led this fight. You are the one that has put the focus on the issue. You couldn't have been more right to do so. And I just want to personally thank you for what you have done because I think it is going to make a difference.

Thank you very much.

[Senator Conrad submitted the following:]

PREPARED STATEMENT OF HON. KENT CONRAD

Mr. Chairman, I want to express my appreciation to you and other Member's of the Committee for the opportunity to participate in today's hearing on the impact of violence in the media on children. I am especially pleased that you have invited major broadcast industry and cable network representatives to this hearing, and that you are again examining industry efforts to reduce the incidence of violence on entertainment television.

Most importantly, I want to commend you for the leadership you have taken since coming to the Senate on this critical children's issue. The Television Program Improvement Act that you introduced several years ago has provided the impetus necessary to move the broadcast industry towards a voluntary agreement on curbing violence in television programming. You have provided the television industry with a window of opportunity to act responsibly on this critical issue.

Unfortunately, it appears that the TV industry, based on a review of prime-time TV programming in early May, has reneged on this important agreement and is relaxing the TV violence standards announced last year. TV programming for the week of May 2nd in TV WEEK illustrates the reversal of the television industry policy. (NOTE CHART)

Mr. Chairman, earlier this month, I invited parents, educators, child advocacy groups, law enforcement officials, and community and church leaders to a meeting in Bismarck, to share their concerns on the subject of violence and children, and the impact of television violence on children. As you know, parents, educators and many individuals and organizations are expressing deep concern over the growing violence among children. They are questioning whether the increased violence on entertainment television and in movies is contributing to the alarming rise in violence among juveniles. Clearly this seems to be the case, and several developments confirm this trend. *NOTE POST ARTICLE/CHART

Statistics regarding the incidence of violence involving teenagers and in many instances pre-teens, are alarming. The FBI in its most recent report to Congress, "Crime in the United States, 1991", has reported that the Nation is experiencing an unrivaled period of juvenile violent crime—430 arrests for every 100,000 juveniles in the United States—an increase that represents a 27 percent jump over the 1980 rate. These increases in violent crime involve not only disadvantaged youth in urban areas, but also juveniles from families of all races, social classes and life-styles.

While juvenile violence has increased dramatically over the past decade, there has also been a corresponding and extraordinary increase in our children's exposure, on a daily basis, to violence in the media, especially on television, in movies and video rentals.

As you know, the typical American child is exposed to an average of 27 hours of TV each week—as much as 11 hours per day for some children. The same child is exposed to more than 25 acts of violence an hour when viewing children's programming. Based upon children's viewing habits, it is estimated by the American Psychological Association that a typical child will watch 8,000 murders and more than 100,000 acts of violence before finishing elementary school. By the age of 18, that same teenager, will have witnessed 200,000 acts of violence on TV including 40,000 murders.

Without question, most experts on children's behavior have concluded that there is a direct link between exposure to TV violence along with other forms of media violence, and violence in society. According to an article in "The Journal of the American Medical Association" of June, 1992, the link is especially clear for young children who are vulnerable to the negative influences of the media.

Mr. Chairman, parents, educators, and many other individuals and organizations are deeply troubled over the alarming increase in violence in our daily lives. They are absolutely outraged that this trend carries over to entertainment television and movies. Although Congress passed the Television Program Improvement Act in 1990, there are clear indications that the networks are far from complying with the intent of Congress to reduce violence in the media.

I believe we must take concrete steps, not only in Congress, but as citizens working together, to curb the alarming violence among our youth. While there are many factors contributing to this rise in violence—all of which must be addressed—we must focus on one of the primary causes, violence in entertainment television. That is why I have urged citizens earlier this month in Bismarck, North Dakota, to petition the broadcast media to immediately reduce violence on television, and to urge the Federal Communication Commission to establish a violence rating system and guidelines for broadcasters to follow during prime time and children's viewing hours. I am pleased to share a copy of the petition on TV violence that is being circulated by citizens throughout North Dakota.

Again, I applaud your leadership in this critical area for our children, and express my appreciation to the Subcommittee for the opportunity to participate in today's hearing.

A PETITION TO TV AND CABLE TV NETWORK CHIEF EXECUTIVE OFFICERS

Whereas the Nation is experiencing, according to the Federal Bureau of Investigation, an unrivaled period of juvenile violent crime among youth from all races, social classes and lifestyles;

Whereas a typical American child is exposed to an average of 27 hours of television each week, and as many as 11 hours per day for an inner city child;

Whereas the average American child will watch 8,000 murders and 100,000 acts of violence on TV before finishing elementary school, and by the age of 18, that same teenager, will have witnessed 200,00 acts of violence on TV including 40,000 murders;

Whereas, according to a recent *Times Mirror Media* poll, a majority of Americans believe that entertainment TV is too violent;

Whereas, *The Journal of the American Medical Association*, on several occasions since 1975, has alerted the medical community to the deforming effects the viewing of television violence has on normal child development, increasing levels of aggressiveness and violence;

Whereas, *The National Commission on Children* recommended that television producers exercise greater restraint in the content of programming for children;

Whereas, according to the *H.F. Guggenheim Foundation*, there is no question regarding the increased aggressiveness in children as a result of the violent content of television programs, and whereas, the *Foundation* is urging greater vigilance against media violence among major TV networks, the cable TV industry and the motion picture industry:

Now, therefore be it

Resolved that the television networks and the cable television industry take immediate steps to dramatically reduce the violence in the broadcast media in order to limit the exposure of children to violent programming on TV and that Federal Communications Commission establish a violence rating system for television; establish guidelines for the broadcasters to follow in programming during prime time

and children's viewing hours; develop a program to deny renewal or revoke the licenses of broadcasters failing to comply with violence guidelines and impose monetary penalties on cable TV broadcasters failing to comply with the violence guidelines.

[EDITOR'S NOTE: Three pages of a TV program could not be reproduced effectively and were retained in committee files.]



The Washington Post

MAY 2-8, 1993

TV WEEK

TALE OF A NEBRASKA KILLING SPREE

FAIRUZA BALK, TIM ROTH

A NUREYEV PROFILE

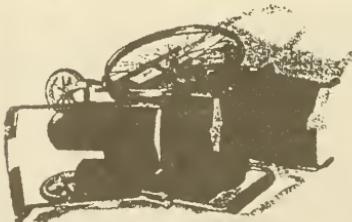
POPULAR VIDEOS:
A 'SHAQ ATTAQ'

SHE HAD A VISION
AND SAW
A MURDER.

CAN HER NEUTRAL PRESENCE PREVENT A MURDER?
**VISIONS
IN MURDER**
BARBARA EDEN
JAMES BROLIN



*Retiring was tough.
Coming back was murder.*



THE RETURN OF IRONSIDE

Starring RAYMOND BURR, BARBARA ANDERSON
ELIZABETH BAUR, DON MITCHELL, DON GALLAWAY

Echoes of Miniseries Murders

Canadian Killings Mimic TV Movie

By Anne Swanson
Winnipeg Free Press Service

TORONTO, May 10—If violence on American television begot violence in real life, double murder in the heartland of Canada last week suggests that the effect reaches beyond the borders of the United States.

Murder and other law enforcement authorities in Flin Flon, Manitoba, today arrested James Philip Bridson, 18, after a 72-hour manhunt for him and his former girlfriend, 13-year-old Meaghan McConnell. The action came just three days after the shooting deaths of McConnell's mother, Marlene, and her brother, Christopher, as well as the wounding of her sister, Shannon. Meaghan McConnell was not charged.

A few days before the killings, Bridson watched the ABC miniseries "Murder in the Heartland." The movie dramatized the true story of Charles Starkweather, who in 1958 at the age of 17 killed the mother, stepfather and baby sister of his 14-year-old girlfriend, Carol Ann Fugate. He then roamed the roads of Nebraska and Wyoming with Fugate, murdering other people.

Starkweather killed Fugate's mother after she told the girl to break up with him. Two weeks before the Manitoba murders, Marlene McConnell ordered her daughter to break up with Bridson.

Starkweather did his killing with a rifle. Bridson's parents had tried him.

See MURDER, E6, Col. 5



Tim Roth as Charles Starkweather in ABC's "Murder in the Heartland."

Murder Echoes Miniseries

MURDER From E1

successfully to persuade authorities to exhume a rifle their son kept in the trunk of his sounding 1971 Chevrolet.

Bridson and Meaghan McConnell were found inside an abandoned cement mixer on the grounds of a local concrete contractor about a mile from the McConnell house. It was not clear whether they had been there the entire time since the shootings; authorities had been searching the scrubby bush terrain for miles around Flin Flon.

Like nearly every other Canadian hamlet, Flin Flon, about 400 miles north of North Dakota on the border between Manitoba and Saskatchewan, has full access to American television. Through cable technology, its 8,000 residents can watch all the U.S. network channels from Detroit, and a sports channel. Because there is little else to do in the bleak mining town, where the earth stays so cold all year that the snow never melts above ground, people watch a lot of TV.

"People in communities like that are remote and isolated, and they depend on TV a great deal," said Telv Kutter, a psychologist in Winnipeg, 300 miles southeast of Flin Flon. Kutter, a specialist in stress-related disorders, emphasized that television doesn't cause murders, but he said he had no doubt that there is some connection between the broadcast and these killings.

"The movie portrayed Starkweather as a guy who was rebelling not only against her parents' authority, but against society in general. That is a very appealing image for male adolescents whose lives are not working. As I watched, I thought, this is going to appeal to a lot of frustrated, unhappy young men 19."

Bridson is an unemployed high school dropout who moved to Flin Flon—named for the Jules Verne character Josiah Flinabbotte Floninton—with his parents 18 months ago.

He left his parents' home about three weeks ago, allegedly at their request. Their lawyer said in a press conference Sunday that they had tried to have Bridson involuntarily committed



Jim Bridson, the 18-year-old Canadian charged in the double murder.

to a hospital because he was severely depressed, apparently after Meaghan McConnell acceded to her mother's wishes and broke up with him. During that period, Marlene McConnell also reported to the local office of the Royal Canadian Mounted Police that Bridson had sexually assaulted her daughter.

Last Monday and Tuesday evenings, Bridson watched the miniseries in the company of a friend and the friend's girlfriend, according to Beverly Van Meer, the mother of Bridson's roommate. The next night, Bridson was called in by RCMP officials to discuss the sexual assault charges. He was released late Wednesday and asked to come back the following morning.

Some time before 2 a.m. Thursday, a man broke into the McConnell house through a window. Neighbors heard shots and called the police. As the police arrived at the front door, neighbors saw Meaghan being pulled out the back window by someone.

It was not clear today whether Meaghan McConnell, who was said to be unharmed, was accompanying Bridson on her own volition. The role in 1958 of Carol Ann Fugate, who spent 18 years in prison for one of the murders committed with Starkweather, was ambiguous. She claimed after his capture that she was an innocent hostage, though she had held up with him in her parents' home for several days after they were murdered.

If Bridson is tried and convicted, there will be one way in which his case cannot follow the earlier one. Starkweather was executed in 1959 in Nebraska by electrocution. Canada does not allow capital punishment.

TONIGHT!

Cop...Killer?

The Mob wants him dead.
The police want him for murder.
Will Malone cross the line
to avenge his wife's death?

ALL NEW EPISODE

THE UNTOUCHABLES 9 PM

20
MONDAY

Senator SIMON. I thank you, Senator Conrad.

Congressman Markey has been a leader, and let me also pay tribute to Congressman Dan Glickman for his leadership, also, in the House. Congressman Markey held a hearing last week on this subject.

Congressman Markey?

STATEMENT OF HON. EDWARD J. MARKEY

Mr. MARKEY. Thank you, Senator, very much, and I want to echo what the other Members have said about you and your leadership on this issue.

Without question, the 1990 act has helped to elevate dramatically the attention nationally on this issue. The other Members have as well helped. You mentioned Congressman Glickman. He worked with you on that 1990 act, a tremendously important change in terms of how this issue has been viewed since the passage of that act.

The problem that we have right now is that we are in the middle of a sweeps month and all of the networks are driven, unfortunately, by the need for them to convince advertisers that they can get the highest possible ratings because the advertising rate which they are allowed to charge over the next several months will be based upon their ratings. Unfortunately, networks know that violence sells, and advertisers want to be attached to the highest-rated programs.

What they are beginning to learn, though, is that antiviolence also sells to the Congress and to the American public, and this drama is about to unfold in our country as we begin to have this debate.

For many years, much like the debate over the linkage between cigarettes and cancer, there has been some uncertainty in some minds as to whether or not there is, in fact, a linkage between violence on television and then subsequent violent behavior in individuals, much the same way we debated that cancer-cigarette linkage.

Now, I think there is no question. Behavioral scientists—you have Professor Centerwall here today. He testified on the House side 2 weeks ago. Across the board, they all agree. It is not just a relationship. It is actually a causal link between the program which you are seeing and then subsequent violent behavior.

Let's be honest. Why would advertisers want to have their products identified with a program to be shown unless they thought the viewers would then act on what they saw as an ad, to go out and buy the product? That is the essence of what advertising is.

So we have now the prime time crime wave to bring in the highest ratings. We have seen no real reduction thus far. We hear promises of previews of coming attractions for the future, but we see no real compelling evidence that there has been a change thus far.

The fact of the matter is that television is on an average of 6½ hours in every home in the United States every single day. With the exception of the family and the school, it is the third major influence under development of the personality of every person in our country, 6½ hours every single day, every single home, on average.

So let us not deny, then, that there is a huge problem on our hands. The mystery is no longer whether or not violence affects children. The mystery is why the networks, the advertisers, the programmers, haven't done anything to change their attitudes toward the amount of violence which they put on the air.

As an electronic teacher, what we see across the board is, in family after family, attitudes being developed by those who are unduly exposed to this violent behavior.

So our job, then, is to find some way of dealing with the issue. What I recommend is a two-step proposal; one, that we have a voluntary rating system, similar to the rating system which has been used by the Motion Picture Association over the last 25 years, so that families can inform themselves as to the violent content of programming.

Now, I would clearly want this to be done on a voluntary basis, so that there is a "V," some symbol that the parents can rely upon to know that, in fact, there is a violent content in a program, and then it is up to the parents to decide or the family to decide how they want their families to interact with that programming. I don't think that is censorship. I don't think that that is a violation of any producer, a writer, a director, a broadcaster's first amendment right that the consumer of the product knows what is inside. We do that for movies right now. The precedent is set. We are not reinventing the wheel.

Second, all new television sets in the United States must include a technology with the capability of blocking out particular channels or programs. Parents cannot consistently on a day-by-day basis monitor every single program which is on the air. That is completely unrealistic.

But, if parents knew in advance which programs are going to be on by using their TV Week guide with the Vs, it could be programmed in advance, a television set, to block out all of the V programs on that set for other weeks or other months in the discretion of the parents, their constitutional rights, their constitutional rights to not allow this information into their home.

Now, this is something which is doable. This can be put together as a V block, a V block that blocks out violence that the parents, by remote control, can just eradicate from the programming which is coming into their home. And if the producers, directors, Hollywood broadcasters agree on a voluntary basis, then it will be ratings-ready. You will have the ratings that will be there, and when the technology is out there in the marketplace within the next year or so, they can begin to zap it out.

Why is that important? It is important because the advertisers are clearly looking for a certain type of consumer. In many ways, the bottom one-third of the socioeconomic spectrum just happens to be the beneficiary of the programming which is on television, but advertisers are not targeting them. The most desirable consumers, that upper one-third, are the ones most likely to be purchasing new televisions sets over the next year or two or three in this country.

If 10 or 15 percent of them start blocking out with the V block all the violence that is on their programs, advertisers will pay attention, broadcasters will pay attention. Those are the people who they are, in fact, targeting.

Now, you ask how is this possible. Well, in 1990, we passed through Congress out of my committee and a counterpart committee over here on the Senate side a Television Decoder Act, which requires that every new television set in America be closed caption-ready, so that the 24 million Americans who are deaf or hard of hearing would have a closed caption capacity built into their television set, mandated by the Federal Government. That law has now come to pass and, in fact, every television set being manufactured has this capability, so that closed captioning is in every television set on the market in our country today for the 24 million Americans.

Interestingly, this is something done by the electronics industry of America as part of their standard-setting requirements. Now, in my conversations with them over the last month, it turns out that they can do the same thing to make television sets, by remote control, ready for a violence block as well. It is just part of their computer programming inside of the set, a relatively simple thing for them to do, in fact. But, interestingly, there is a debate that rages inside of the electronics industry of America, and the NAB is part of it, that requires a consensus to have been reached on the subject of whether or not this computer capacity should be built into TV sets.

My feeling is that, as the continuation of the Decoder Act of 1990, they should be made ready and that we should put the pressure on the industry to ensure that every television set has that capacity. That combination balances the rights, the rights of the Hollywood-producing, -writing, and -broadcasting community to put on any program they want—let them put it on—and the rights established by this committee in the Bork hearings, the rights of the privacy of each individual to block it out of their home if they don't want it in their home, each side with their rights, each able to exercise them fully, and either side then can react to the exercise of the other's rights.

My own feeling is that the broadcasters and the advertisers in their own interest will begin to look at the program "Cheers" and wonder why so many people were watching it last night and try to find people who can write programs that attract those kind of audiences that have parents cheering across the country.

I congratulate you and thank you, Senator, for this opportunity to be here.

[The prepared statement of Mr. Markey follows:]

PREPARED STATEMENT OF HON. EDWARD J. MARKEY

Good morning and thank you for having me here today to testify on the issue of televised violence.

"Murder Month is almost over" writes the Washington Post this morning. I expect that today we will hear from the television industry that they are planning all sorts of family oriented programs in the future—just as soon as Murder Month is over.

Through the 1970's, '80's and '90's the television industry assured the public and Congress that the amount of violence on television would be reduced. They have proposed to take steps to deal with the problem. Unfortunately, to most people, there has been no change.

The passage of the Television Violence Act in 1990, under the leadership of Senator Simon, gave all of us renewed optimism that the industry might begin to control the epidemic of violence on television. Yet three years later, we find ourselves in the throes of yet another "Prime-Time Crime Wave," as another May Sweeps finds us mired in murder and mayhem.

On May 12th, the House Subcommittee on Telecommunications and Finance held a hearing on the issue of televised violence and its impact on children. We heard from researchers who have found substantial evidence that watching violent television as a young child causes children to become more aggressive and violent. And the effects last over time. The American Academy of Pediatrics testified that doctors now counsel parents to limit their child's viewing of violence on television as part of the yearly check up.

The mystery is no longer whether televised violence affects children, the mystery is why the evidence has so little effect on the television industry.

Today the average child spends more time watching television than in the classroom. As a result, television has become an "electronic teacher" for many children. The question we must answer today is this: If the electronic teacher delivers a daily lesson in violent, antisocial behavior, what is happening to our children? And what will happen to our society?

I believe the time has come to take a more substantial step to challenge the status quo. We cannot continue to acknowledge the harmful effect of TV violence but remain afraid to address it.

On Wednesday I wrote to members of the television industry—some of whom are here today—asking for their help in finding ways to reduce television violence through private initiatives. I believe that the more parents know in advance about which shows are violent, the better equipped they will be to perform the parental role of choosing suitable television programming for their children.

My proposal has two critical features:

1) A television rating system similar to the rating system used for over 25 years by the movie industry to give viewers the information they need to make informed decisions for themselves and their families;

2) New television sets must include technology with the capability of blocking out particular channels or programs. Parents can not constantly monitor what their children are watching. If parents know in advance which programming is violent, they can program their television sets accordingly and block out violent programs by pushing a button.

With regard to this blocking technology, Mr. Chairman, I learned just this week that the television receiver industry is actively considering including my proposal as part of a broad plan to make maximum use of the vertical blanking interval used to deliver closed captioning for the deaf. To encourage them to follow through on this plan, I have sent a letter to the Electronics Industries Association to request that they include the capability to block violent shows in all new television sets.

The rating system and blocking technology I am proposing will fully protect the First Amendment rights of producers, broadcasters and writers. It will also protect the rights of parents to decide what is appropriate for their children.

Television is a powerful medium. It shapes our lives and influences how we see the world. Its effect on children is especially powerful—at very early ages, they mimic what they see. We need to give parents a stronger role in deciding what behaviors their children are watching and learning.

Senator SIMON. We thank you, Congressman Markey.
Senator Dorgan?

STATEMENT OF HON. BYRON L. DORGAN

Senator DORGAN. Mr. Chairman, thank you very much.

I began to look at this issue in January of this year. When I did, I came across the body of work that you have done, and I echo my colleagues in complimenting you.

I know that Senator Conrad has held a hearing on this subject. Congressman Markey has also been involved. Our colleague, Senator Durenberger, has introduced legislation in the Senate.

The evaluation that I did of television violence over the recent months resulted in introducing this week legislation on the issue. My approach to this issue is different, although I think that the suggestions by my colleagues today have great merit. Senator Conrad discusses grass roots pressure, which I think is very impor-

tant. Congressman Markey talks about a technology approach to this, which I also think we ought to seriously look at.

I introduced legislation that would require the Federal Communications Commission to offer, on a quarterly basis, a television violence report card. This report card would not be a judgment about the quality of the programming. The FCC would simply make a compilation of the violent acts on programming and reach that compilation by programming and by sponsor.

I don't suggest that we solve the problem of TV violence from the top down. I suggest we solve it from the bottom up, so that parents understand where is this violence and who is sponsoring it. That way they can better supervise children's viewing habits.

I had a pediatrician come to my office a while back to talk to me about health care. I asked him, "How have things changed in health care?" He said, "The children come with different injuries these days." I said, "Really? How is that?" He said, "A little boy comes that has been hit over the side of the head with a baseball bat full force." "Why is that?", I ask. He said, "A child 4 years old watches Ninja Turtles and at 4 doesn't determine the difference between reality and fantasy. He goes outside, grabs a baseball bat, and hits the neighbor kid over the head with a baseball bat."

Clearly, clearly, children imitate. No one in this room could seriously believe that children don't imitate. Why on earth would advertisers invest the money they invest in programming if they didn't believe people imitate? Children pick up their cues from television about how to solve their problems and how to look cool. That is why advertisers do what they do, but it is also why children especially react the way they react to this increasing violence on television.

We have in this country a situation where kids, when they graduate from high school, have sat in the classroom about 12,500 hours and have sat in front of a television set somewhere close to 20,000 hours. Children are clearly, when they graduate from high school, more a product of what they have seen than what they have read. Unfortunately what they have seen is increasingly, especially during the past decade, a tripling of violence on American television. In my judgment, it is unhealthy.

Should we censor it? Should we regulate it? I don't suggest that in this appearance. I don't think that we ought to develop thought police. But should we provide more information by which people can supervise the viewing habits of children? Should we provide more pressure on the industry to act more responsibly? Certainly, I think we should do that.

This hearing moves in that direction. This hearing begins to solve part of this problem. This hearing airs publicly what most parents in this country think and talk about privately, and that is the value of this sort of a step.

When I introduced my legislation this week, I said this on the floor of the Senate. I said, imagine the following scene in your house. A large truck drives up to your house, and a man dressed in a fancy suit jumps out of the truck and knocks on your door. He has come to make a proposition to you. He says in his truck, he has got a big troop of actors, wonderful, creative actors, and he has

got a lot of dazzling props, and he proposes to take them into your family room and put on a show for you and your children.

He says the actors will shoot and stab and bludgeon each other. They will even do simulated fire-bombings of cars and buildings. They will enact about 32 such acts each hour, about 32 acts an hour all evening long, as long as your children are awake, and they will come back and repeat those enactments tomorrow and the next day and the day after that. They will spend more time with your children than you do. They will teach them to solve problems and settle their differences by killing and by conflict. They will convey to them that the adult world really approves of this kind of behavior; that it is glamorous and attractive and it is sort of the coolest way to deal with problems; that violence works.

Is there one parent in this country that would accept that proposition from the man that knocked on the door to come to your living room with that troop of actors to demonstrate that to your children? Of course not. You would probably report the man in the expensive suit to the authorities for child abuse. Yet, precisely, this transaction occurs every day in this country in virtually every home because it happens on the television set, and that man in the expensive suit slips past the parents, right through the television set, right to the kids.

Those who do this are insulated from the consequences of their own behavior because there is not a lot of discussion in this country about who is doing this, who is responsible for it, and why are they doing it, and it is very, very difficult for the parents to guard the door because the door is in the television set.

I just appear today to say to you, I don't think there is any question anymore. When they say television imitates life, yes, it does, and life imitates television. Of course, it does. There is no question anymore that the increasing violence on television is unhealthy for this country and especially its children, and we need to find ways to give people the tools, to give people the additional information necessary with which to better send messages to those who produce and those who sponsor this kind of television.

Mr. Chairman, thank you for your excellent work on this issue, and I look forward to working with you and with my colleagues.

[The prepared statement of Senator Dorgan follows:]

PREPARED STATEMENT OF HON. BYRON L. DORGAN

Mr. Chairman, thank you for holding this hearing on the subject of television violence. I appreciate the opportunity to testify before the Constitution Subcommittee and share my thoughts with you about this important issue. First, however, I want to commend you for your leadership in this area. Many of us who are concerned about the growth of violence on television are indebted to you for the work you have done.

The most aggressive outbreak of violence in America today is not in the streets of our cities. It is in the American living room. It is television that is filling the American home—and the minds of our children—with scenes of murder and bloodshed.

Some 1800 scenes of violence are projected into the American home on a typical T.V. broadcast day. Prime time violence *tripled* during the '80's, the American Academy of Pediatrics reports.

Especially on childrens shows, violence has run absolutely amok. Last year there were 32 acts of violence per hour on childrens shows—an all-time record. By the time our children finish elementary school, they have witnessed 8,000 murders and 100,000 acts of violence on TV.

It is not the role of government in this country to tell people what they can watch. Nor should we try to tell broadcasters and sponsors what they can put on TV.

But nor should we sit passively by, while our homes are being filled with scenes of violence and gore. We can help parents talk back to the media. We can help them express their own choices in the marketplace.

That's what I'm proposing—a market-based solution to the problem of violence on TV. Under this approach, the government wouldn't regulate; parents would, and other concerned adults too. Government would do for them no more than it does for business of all kinds: gather information that would help parents express their own free choices.

Specifically, the Federal Communications Commission would issue a quarterly report on violence on TV under my proposal. It would tell the public which shows, and which corporate sponsors, portray the most violence. Parents could send a market message on the subject of violence on TV—one the corporate sponsors would understand.

If Americans don't really care about this violence, then it would continue. If they do care about it, and send their market message accordingly, then it would change. That's the way a democracy and a market economy are supposed to work.

But this bill is about more than market messages. It's about more even than violence on TV. It would start to get at something much more basic in our society: the breakdown in the connection between actions and consequences that is the warp and woof of any civilized society.

Violence on TV is just one symptom of this much larger problem.

Imagine the following scene. A large truck drives up to your house, and a man in an expensive suit gets out and knocks on your door. He's come to make a proposition.

He has a troupe of actors in the truck, he says, and a lot of dazzling props. He wants to take them into your family living room and put on a show for your kids. The actors will shoot and stab and beat one another to a bloody pulp. They will fire-bomb cars and buildings.

They will enact at least thirty-two such gory scenes each hour—about two a minute. And they will come back and repeat these enactments tomorrow, and the next day, and the day after that. They will spend more time with your children than you do yourself. They will teach them to solve problems and to settle disputes by killing. They will convey to them that the adult world approves of this kind of behavior—that it is glamorous and attractive and the way the coolest adults themselves behave.

Is there a parent in this country that would accept that offer? More likely, they would call the police. They would report the man in the expensive suit for child molesting. Yet precisely this transaction happens every day in America, millions of times. But because it happens through TV, parents have a much harder time guarding the door. They try very hard, but they don't always succeed.

Television enables the media and corporate sponsors of this country to slip by the parents and speak directly to the kids. And because they sit in plush corporate offices in tall buildings in cities far away, they are insulated from the consequences on their own behavior. They are exempt from the laws of social cause and effect.

I was raised in Regent, North Dakota, a little town of some 300 people in the Northwest corner of my state. Most of the folks in town knew one another, and the merchants were part of the community. None of those local merchants would dare exploit the kids the way TV does. The community would have been outraged. Folks would have driven to the next town, if necessary, to avoid doing business with that merchant.

That's the law of social cause and effect. If you try to exploit children—if you try to subject them to unhealthy influences—then you will pay a price. But that law gets diluted when we have huge corporations speaking through the mass media. There's no face-to-face contact. It's all impersonal and anonymous. People lose track of who's doing the talking and how to express their outrage.

That's why we have to do a little extra to right the balance—to start to restore the connection between action and consequence. Not through government and bureaucracy, but by giving people the tools to do what the folks in Regent would have done: to choose not to do business with the people who are inflicting these scenes of violence and gore upon the minds of our nation's children.

My bill would require the FCC to report to the parents and citizens of this country on the amount of violence on TV. It would enable the public to know exactly which networks, and which corporate sponsors, are responsible for this violence. By fixing the individual responsibility in this manner, it would enable the laws of social cause and effect to take effect, without any regulation by government.

This bill would work from the ground up, rather than the top down. It would help to strengthen the roles of families and communities as the bulwarks of standards in our society.

The FCC would make these reports quarterly, including at least one "sweeps" week, when networks push the bloodshed peddle to the floor to get higher ratings. At first the survey would include the major networks plus Fox and cable. The bill would not cost much money. The National Coalition on Television Violence, which does similar surveys from time to time, says that they cost about \$10,000 a shot. Even allowing for bureaucratic bloat, we're talking about a pittance, especially considering the benefits to the whole society.

Beside, why shouldn't the government start helping parents, the way it helps corporations? The federal government spends millions and probably billions of dollars a year, gathering data for use by business. The Census Bureau alone provides a treasure trove of demographic research for ad agencies and corporate marketing departments. Corporations use this government data to target consumers. Now it's time to give parents data by which they can target advertisers who are abusing their children.

I can hear the people sitting in the plush offices in Manhattan and Los Angeles. They are saying that there's no *evidence* that violence on TV is harmful to kids. That we need *further studies*. I'm not making this up. "The issue is so complex," whined one former network executive recently. "It's not appropriate to deal with this in some superficial way * * * I don't think we know enough yet."

That's what happens to people who live in the gilded cocoon of commercial television. They start talking the way the tobacco industry talked for years. Well, parents do feel that they know enough; and more important, that they've *had* enough. The fact is, the National Institute of Mental Health and a host of other researchers have found—not surprisingly—a connection between what kids see on TV and what they do.

But this is a question for parents to decide for themselves. I have yet to meet a parent who thinks that violence on TV is good for their kids—that it has no effect, that we should just sit back and do nothing while this violence increases. If anyone has further doubts, I suggest they listen to Mr. Lawrence Gordon, who produced the 1979 movie "The Warriors." The movie was recalled because it prompted so much violence on the part of young viewers. Three killings were linked to the film the first week it was shown.

"I'd be lying if I said that people don't imitate what they see on the screen," Mr. Gordon said recently. "I would be a moron to say they don't, because look how dress styles change. We have people who want to look like Julia Roberts and Michelle Pfeiffer and Madonna. Of course we imitate. It is impossible for me to think they would imitate our dress, our music, our look, but not imitate any of our violence or our other actions."

Of course children imitate. Of course they pick up cues from television regarding how to solve their problems and how to be cool. That's why advertisers spend so many millions striving to reach those kids through TV. And that's why we have to help parents reach those advertisers.

Once again, Mr. Chairman, I thank you for your leadership in this area and I thank you for the opportunity to share my thoughts with you on this subject.

Senator SIMON. I thank all three of you. I think it is important that you have testified here today not just in front of the three of us and C-SPAN, but the television industry leaders that are here, as well as the representatives of the movie industry.

One question, if I may direct this to Senator Dorgan and Representative Markey. The suggestions that you make deal with the broadcast side, and I am not saying that is insignificant. That is 62 percent of the viewing in our country. There is another side, and that is the cable side. Have you reflected on any suggestions as to how we deal with that side of it?

Mr. MARKEY. If I may, Senator—

Senator SIMON. Yes.

Mr. MARKEY [continuing]. I think we deal with it identically. I think that we put the identical pressure upon the cable industry, from my perspective, to have ratings for their programs that do have violent content, and that remote control V block for violence

can be used as well where families have 50, 60 channels as well to sweep it clean.

You know, a lot of people don't subscribe to cable because they are afraid of the violent programs that might be on. They might like to subscribe to HBO or Showtime or some other program for the good movies that are on, but they are afraid that they are going to have some movies on that are going to be offensive, so they don't purchase it at all.

With this kind of a control, they could zap out all the stuff that they don't like, but still hand the remote control to their child who can graze all day long if they want, but they won't find a program which is offensive, even on cable, even on any of these channels right now that many parents are afraid to purchase.

Senator SIMON. Senator Dorgan?

Senator DORGAN. My approach would apply to cable as well.

I might say to you that, in my judgment, the reason we have had this burst of increasing violence in the last decade is because there has been a proliferation of new channels. Cable has dramatically changed the landscape of television, and the result is everyone that is competing in that system; that every channel has to be more dramatic. They have to be doing things that try to get greater attention. They have to be more explosive, more violent. The fact is the only way that they can claim the attention of the viewer is to try to suck them into a program by overdramatization.

You know, it wasn't too many years ago when there were only a couple of channels. Now, there is intense competition for the minds of the viewers, and they have to do startling and radically different things to try to attract viewers. That is what I think has precipitated a change in language used during prime time—and all of you know that has happened—a change in the standards of language, and, also, I think a special change in the level of violence on television all across the channel spectrum.

Senator SIMON. Senator Conrad, do you want to add anything there?

Senator CONRAD. No; I think this has been an excellent start, Mr. Chairman, and I look forward very much to the rest of this hearing.

I hope the industry is listening very carefully to what is being said here today because I do think it reflects a grassroots concern that goes all across this country.

Senator METZENBAUM. Mr. Chairman?

Senator SIMON. Senator Metzenbaum?

Senator METZENBAUM. As the speakers were addressing themselves to this issue, it occurred to me that, proceeding under this antitrust exemption, you are going to the meeting of the industry on August 2. There was a 3-year statute of limitations—not statute of limitations—statutory exemption—

Senator SIMON. That is correct.

Senator METZENBAUM [continuing]. In the antitrust laws that expires December 1, 1993. I don't know where they have been for the last 2½ years. I myself would not be receptive to extending it. I think they have an obligation to move with dispatch and get the job done. I think that there are more draconian measures that can be taken.

Congressman Markey, for whom I have tremendous respect, suggests that there are those of us who have spent a lifetime defending the Bill of Rights, concerned about freedom of speech and freedom of expression. I still think that we are talking about people using the airwaves that in the main actually belong to people of this country, the TV franchises. If franchises are put in jeopardy, maybe that is the way we have to go, but I hope that the industry recognizes that we want some action now. We don't want to say, well, they need another 2 or 3 years in order to get it resolved, and I am saying that to you publicly so that we will not come back the last couple of weeks and say we think we could do something if we had another year or two.

Senator SIMON. Thank you.

Senator Feinstein?

Senator FEINSTEIN. I would like to, Mr. Chairman, just echo Senator Metzenbaum's comments. I think they are right. I don't see the industry regulating itself because it hasn't up to this point. Surely, people who sit in the network boardrooms must look at that stuff. They must have children themselves. They must know what happens. So I just want to say I am so heartened by the testimony I have just heard.

Representative Markey, I am happy to support your violence block. You have got a Senate sponsor, cosponsor, or anything you want. And the same thing, Senator Dorgan; I am happy to support a violence report card. I think we have to do a number of things and begin to take some action. Otherwise, we are a paper tiger.

Senator SIMON. Thank you.

We thank all three of you. You are welcome to sit and join us in the panel if you care to.

Mr. MARKEY. Could I ask, Senator, if I could have a letter that I wrote to the Electronics Industry of America about building in that ratings-ready system and a letter to the cable industry in Hollywood put into the record.

Senator SIMON. That will be entered into the record.

Mr. MARKEY. Thank you.

[The information of Mr. Markey follows:]

NEWS RELEASE

REPRESENTATIVE EDWARD MARKEY CALLS ON TELEVISION INDUSTRY TO ADOPT RATING SYSTEM FOR VIOLENCE

Washington D.C.—Today Rep. Edward Markey (D-MA), Chairman of the Subcommittee on Telecommunications and Finance, called on the television industry to adopt a rating system for television violence. In a letter to television networks, cable programmers, producers and others, Markey asked the industry to consider a rating system for violence on television.

Some of the addressees include:

Edward Fritts, National Association of Broadcasters
 James Mooney, National Cable Television Association
 James Hedlund, Independent Television Association
 Andrew Paul, Satellite Broadcasting and Communications Assoc.
 Jack Valenti, Motion Picture Association of America
 Rupert Murdoch, Fox Television
 Richard Carlson, Corporation for Public Broadcasting
 Robert Wright, NBC
 Laurence Tisch, CBS
 Thomas Murphy, Capital Cities/ABC

Barry Gordon, Screen Actors Guild
Del Reisman, Writers Guild of America
Gerald Levin, Time Warner
Ted Turner, Turner Broadcasting
Frank Biondi, Viacom International
John Malone, Tele-Communications, Inc.
Jerry Isenberg, Caucus for Producers, Writers & Directors

A copy of the letter is attached.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 19, 1993.

Dear:

I am writing to seek your assistance in dealing with the growing public concern over the issue of television violence. While this issue has been of longstanding concern to me and to the Subcommittee on Telecommunications and Finance, recent studies documenting the extent of violence on television and its effect on children have brought a new sense of urgency to efforts to reduce televised violence.

Recent surveys have found a large number of violent acts per hour on network, independent and cable television. On April 2, 1992 the Center for Media and Public Affairs conducted a survey of violence on television and found over 1800 violent acts on ten channels, including broadcast and cable channels, during 18 hours of programming—more than 10 violent acts per hour. Other surveys of violence on television have found that the average network prime time program contains 5 acts of violence, while the average network children's program contains 26 acts of violence.

Of course, counting violent acts does not, by itself, contribute to our understanding of the effect of TV violence on its viewing audience, particularly children. However, when combined with studies demonstrating increases in fear and psychological trauma, we begin to see the broad impact of these programs. While adults know what actions on television are wrong, unreal or pure fantasy, young children can not easily distinguish between fantasy and reality. They are learning behaviors and problem-solving techniques from these violent shows without distinguishing between appropriate and inappropriate behaviors.

The average child spends more time watching television than in the classroom. Television has become an "electronic teacher" for many children. If the electronic teacher delivers a daily dose of violent, antisocial behavior what happens to these children?

One of the most disturbing studies on the effects of television violence was recently published by Dr. Brandon Centerwall of the University of Washington in the journal *Public Interest*. By comparing levels of aggressive behavior before and after television was introduced to remote areas, researchers established that young children are indeed affected by TV. They become more aggressive and engage in more antisocial acts after TV is introduced than before TV. Dr. Centerwall concluded that the existence of television leads to 10,000 more murders each year in the U.S., 70,000 more rapes, and 700,000 more injurious assaults. In short, he suggests that our crime rate would be half of what it is today if TV had never been allowed into our homes.

Studies by Dr. Rowell Huesmann of the University of Michigan have also found a correlation between the amount of violent programming watched by young children and their levels of aggression in later life. A child who watched large numbers of violent programs in early life was more likely to exhibit aggression as an adult and was more likely to use force as a mother or father. Violent, aggressive behavior later in life was found for all high-viewing-time television watchers, even those who were not aggressive in their early childhood years.

Three years ago, Congress passed the Television Violence Act which granted a three-year antitrust exemption to the networks, syndicators, programmers, cable operators and others in the industry to develop standards for the depiction of violence on television. Unfortunately, this effort has resulted in guidelines which only the three networks endorsed. Moreover, these guidelines are so general that they appear even weaker than the existing standards used by each of the networks. Finally, they do not appear to be having any effect. A reminder of how much violence is still coming into people's living rooms during hours that children watch television was an article a few weeks ago in the *LA Times* entitled "Prime-Time Crime Wave". The article listed the proliferation of shows coming up during the May sweeps week which center around murder, violence and rape.

I believe the time has come to take a more substantial step to challenge the status quo. We cannot acknowledge the harmful effects of TV violence but remain afraid to address it.

It is true that many of the suggested remedies for reducing violent programming reach for solutions that place the government squarely in the business of disapproving content it considers too violent. Asking the government to step in is an extreme step that should not be taken if there are effective private alternatives that have not yet been tried. Our challenge is to find ways of protecting the most vulnerable members of our society without compromising crucial constitutional protections.

The answer I believe is to empower the TV audience to protect itself from unwanted violence by combining a ratings system with new technology. My proposal has two critical features:

1) The television industry must be willing to implement a rating system for television similar to the rating system used for over 25 years by the movie industry to give viewers the information they need to make informed decisions for themselves and their families.

2) New television sets must include technology with the capability of blocking out particular channels or programs. If parents know in advance which programming is violent, they can then program their television sets accordingly and block out violent programming with the press of a button.

The pervasive nature of television makes it unique in our society. I believe parents need more information about what will be coming into their homes through the television set and more control over what their children watch in order to make informed choices about television viewing for themselves and their children.

I am making this proposal with an appreciation of some of the practical difficulties facing a TV rating system. It would be more cumbersome than the system for movies due to the larger number of programs to be rated and the lack of lead-time during which to rate them. Ratings would not reduce the amount of violence seen by children unless they had a parent at home willing to use blocking technology and a set capable of blocking programs rated violent.

The advantage of a rating system voluntarily established by the television industry is that it would not involve the government in making judgments about what constitutes violence. The industry would establish and control the rating process, just as the motion picture industry controls the movie rating system. Parents would be given more information about program content and could use that information to make choices about programs for their children. The First Amendment rights of producers and programmers would be protected, but so would the rights of parents. A rating system might allow for gradations in ratings rather than a bright line determination that certain shows are appropriate for children and others are not. Finally, ratings enjoy broad support among the public—a recent survey of the ratings system used by the Motion Picture Association of America found that 76 percent of parents found it useful.

I would be interested in hearing your thoughts on a rating system and your suggestions on how such a system might be implemented. I look forward to your advice on this and any other initiatives you might recommend for reducing the impact of violent programming on children. It would be particularly helpful if you could respond by June 15, 1993. I very much appreciate your attention to this important issue.

Sincerely,

EDWARD J. MARKEY,
Chairman.

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 21, 1993.

Mr. GARY J. SHAPIRO,
Group Vice President, Consumer Electronics Group,
Electronic Industries Association, Washington, DC.

DEAR MR. SHAPIRO: I understand that the EIA has developed a voluntary standard to use line 21 of the television vertical blanking interval for extended data services (EDS). I applaud your efforts to provide new services through the vertical blanking interval. Consumers will undoubtedly benefit from enhancing their ability to easily and quickly review program schedules and choose programming according to their own preferences.

In this regard, I understand that one of the extended services contemplated includes providing television viewers with the rating that a film received when it ran in the theaters. I also understand that the technology would allow a rating on violence to be included in the standard setting process for extended data services.

You might be aware that the Subcommittee on Telecommunications and Finance held a hearing on the issue of television violence and its impact on children on Wednesday May 12, 1993. I heard from researchers in the field and from groups that have been following the issue for many years and called on the industry to consider adopting a voluntary rating system for television.

In order for parents to take advantage of such a rating system, it would be critical for them to have the capability of blocking programs they deem violent. This could be accomplished if their television set were capable of recognizing the violence rating accompanying a particular program, and allowing them to block that program.

Therefore, I strongly urge you to include in the standard you are developing for EDS a place for information on a program's level of violence, as it might be defined by the industry. If you have any questions concerning this request, please contact Kristan Van Hook of the Subcommittee staff at 226-2424. Thank you for your consideration and cooperation.

Sincerely,

(Signed) Edward J. Markey

(Typed) EDWARD J. MARKEY,
Chairman.

Senator SIMON. Our next panel is Dr. Brandon Centerwall, Department of Epidemiology, University of Washington; and Dr. Brian Wilcox, director of the Public Policy Office, American Psychological Association.

We thank you both. Unless there is any preference, I will just go on the basis that I call you. Would prefer, Dr. Wilcox, to go first?

PANEL CONSISTING OF BRIAN L. WILCOX, DIRECTOR, PUBLIC POLICY OFFICE, AMERICAN PSYCHOLOGICAL ASSOCIATION; AND BRANDON S. CENTERWALL, DEPARTMENT OF EPIDEMIOLOGY, UNIVERSITY OF WASHINGTON

STATEMENT OF BRIAN L. WILCOX

Mr. WILCOX. I think I have a somewhat more general testimony, and Dr. Centerwall will follow up and be cleanup hitter.

Senator SIMON. All right.

Mr. WILCOX. First of all, Senator Simon, I want to thank you again for your commitment and your persistence in pursuing this matter.

As you well know, Congress has been attending to this issue for sometime. The first hearing on TV violence held before the Congress was held by the Senate. Senator Estes Kefauver held a hearing in 1954. So we have been looking at this issue for 39 years now. That is somewhat disconcerting in and of itself.

I would like to really just discuss two issues, and I feel, frankly, somewhat superfluous at this point because you and other members of the committee have done such a fine job of summarizing the research on TV violence and aggression that I am simply going to be resummarizing what you have already described.

Senator SIMON. Your full statement will be entered in the record.

Mr. WILCOX. Great, and I am pleased to know that this research has permeated the public consciousness so well.

I would like to talk about two things: first, the issue of the incidence of violence on television; and, second, the effects of television on aggressive behavior. And I will keep this brief.

Researchers have provided extensive evidence documenting the fact that entertainment television does contain large doses of violence. You have mentioned Dr. George Gerbner and his colleagues at the University of Pennsylvania who have conducted content analyses of television programming for over two decades. These studies demonstrate that the levels of violence on television are especially high in children's programming and that these levels have increased from the years of the 1970's through the 1980's.

As the American Psychological Association's Task Force on Television and Society has noted, and I quote here:

By the time the average child graduates from elementary school, she or he will have witnessed 8,000 murders and more than 100,000 assorted acts of violence. Depending on the amount of television viewed, our youngsters could see more than 200,000 violent acts before they hit the schools and streets of our Nation as teenagers.

Research on TV violence is quite extensive. It is probably the most extensively studied social topic that I know of, well into the thousands of studies. The early studies focussed very heavily on the issue of whether there is a link between TV violence and aggression, and I think the conclusion that you have all echoed already is that, without a doubt, that is the case.

In recent years, there have been three major, what are called, meta-analyses of studies of TV violence and aggression. That is where researchers accumulate the various studies and look to see what the effect is and what the effect size is. All of those studies have concluded that the relationship between televised violence and aggression is real; second, longlasting; and, third, of practical as well as statistical significance.

The most recent of these studies was done by George Comstock and colleagues, and they looked at approximately 200 of the finest studies, the most carefully constructed studies, looking at the relationship between violence and aggression, and these authors concluded, like those before them, that the effect of violent programming on subsequent aggressive behavior is something that should be genuinely of concern to all of us.

Let me turn now to the effects, and I want to talk about four types of effects. First, the most notorious effect of televised violence involves direct imitation or copying of aggressive or antisocial behavior seen on television. Studies clearly indicate that young children can and do learn such behaviors from television, and these studies go back to the 1950's. Viewing violent television does teach children specific forms of aggressive behavior, whether acted out or not.

The second type of evidence comes from studies supporting the notion that viewing television violence can relax or remove inhibitions children might have which normally prevent aggressive and antisocial behavior. This effect is seen most clearly for children who are temperamentally predisposed toward aggressive behavior, though I think it bears noting that this caveat covers a substantial proportion of all children.

Without a doubt, the largest and most firmly established effect of viewing televised violence is in our attitudes and our behavior and our values. Children who watch repeated acts of violence on television become desensitized to the effects of violence when they

witness violence in the real world beyond television. They become less likely to empathize with victims of violence and a steady diet of televised violence cultivates antisocial values and attitudes. Children come to believe that aggression is an appropriate means of settling disagreements and responding to frustration in general.

Finally, because children watch so much television, their view of the world around them is heavily shaped by the media. Given the high prevalence of violence on television, it is not surprising that children have greatly exaggerated fears of violence. They believe that the world is far more violent than it actually is.

Under Senator Simon's leadership, Congress passed the Television Violence Act, offering the broadcast industry the opportunity to reduce violence without governmental intervention in determining television content.

As you noted, in December, the three networks agreed upon a common set of standards or guidelines relating to TV violence. While it is too early to determine whether these newly agreed-upon standards will positively influence programming decisions at the networks, I must note, as you have, that the programming coming out during the May sweeps is rather disappointing, to say the least.

Given that the resolve of the networks to address the problem of television violence seems to have wilted in the face of the sweeps competition, I believe that continued oversight by Congress is essential. I also hope that the Federal Communication Commission will also reexamine this issue as they evaluate their general policies relevant to children's programming.

Again, thank you very much, Senator Simon, for this opportunity.

[The prepared statement of Mr. Wilcox follows:]

PREPARED STATEMENT OF BRIAN L. WILCOX, PH.D., ON BEHALF OF THE AMERICAN PSYCHOLOGICAL ASSOCIATION

TELEVISION VIOLENCE

Mr. Chairman and members of the Subcommittee, I am pleased to have the opportunity to appear on behalf of the American Psychological Association to discuss the status of research on the effects of televised violence. I am Brian Wilcox, Director of the Association's Office of Public Policy. I have also served as staff director of the APA's Task Force on Television and Society and an author of *Big World, Small Screen: The Role of Television in American Society*. Many of our members have conducted significant research on the relationship between televised violence and aggression.

TV VIOLENCE AND AGGRESSION: RESEARCH FINDINGS

This is not the first time APA has been called upon by Congress to summarize the research in this area. In fact, I am the ninth member of APA to speak on this issue. The first two psychologists to address Congress on the effects of televised violence, Dr. Eli Rubinstein and Dr. Alberta Siegel, testified before Senator Pastore's Communications Subcommittee in 1972. Both were participants in the Surgeon General's Scientific Advisory Committee on Television and Social Behavior. At that hearing, Dr. Siegel noted that "Commercial television makes its own contribution to the set of factors that underlie aggressiveness in our society. It does so *** through ceaseless repetition of the message that conflict may be resolved by aggression, that violence is a way of solving problems" (U.S. Senate, 1972, p. 63). Surgeon General Steinfeld put the matter more bluntly at the same hearing: "There is a causative relationship between televised violence and subsequent antisocial behavior, and that evidence is strong enough that it requires some action on the part of responsible authorities" (p. 28).

The report of the Surgeon General's Advisory Committee spawned a second generation of more sophisticated research studies examining the television violence-aggression question. Funding from the National Science Foundation, the National Institute of Mental Health, various foundations, and the broadcast industry, fostered scores of new studies. By 1975, researchers at a national conference on television and human behavior were beginning to believe that the causal relationship between televised violence and aggression was so well established that further research on the topic would provide little additional insight.

A few years later, Surgeon General Richmond requested that the National Institute of Mental Health provide an update of the 1972 Surgeon General's Report. The Ten Year Update, as it came to be called, focused more broadly on the social effects of television than did the 1972 study, which focused exclusively on the effect of televised violence on children and adolescents. Nonetheless, the Ten Year did include a section on television violence and aggression, which summarized the findings of the many studies conducted during the years between the two reports. The final report concluded that the findings reached by the Surgeon General's Advisory Committee in 1972 were only strengthened by the findings of more recent studies.

While these two reports represent the largest scale reviews of the research on televised violence and aggression, other reviews have appeared as well. Three recent reviews are especially noteworthy in that they provide estimates of the practical as well as statistical significance of the relationship between televised violence and aggression. Studies by Hearold (1986), Rosenthal (1986), and Comstock and Paik (1990) used a methodology known as meta-analysis to measure the size of the effect of televised violence on aggression. These researchers came to similar conclusions. Rosenthal (1986) concluded that with respect to predicting current aggressive behavior from current exposure to televised violence and predicting later aggressive behavior from earlier exposure to televised violence, "the practical consequences associated with [these] estimates were found to be substantial" (p. 141). In other words, the relationship between televised violence and aggression is real, long-lasting, and of practical as well as statistical significance. The most recent of these studies, by Comstock and Paik (1990), examined approximately 200 of the most methodologically sound studies looking at the relationship between viewing violent programming and a range of aggressive behaviors, including criminal activity. These authors conclude, like those before them, that the effect of violent programming on subsequent aggressive behavior is something that should genuinely be of concern to us all.

So far, I have addressed the issue of whether there is a relationship between televised violence and aggression. Nearly every independent review of this research has concluded that the relationship is real and that it is causal, i.e., that viewing televised violence affects the aggressive tendencies of children and youth. I'll turn now to the nature of these effects.

"Copy Cat Violence": The most notorious effect of televised violence involves direct imitation or copying of aggressive or antisocial behavior seen on television. While studies clearly indicate that young children can and do learn such behaviors from television, it is also clear that such behavior is not often imitated, and that children who do imitate criminal acts are often troubled prior to the act of imitation. Nevertheless, viewing violent television does teach children about specific forms of aggressive behavior, whether acted out or not.

Removal of Inhibitions Concerning Aggression: Strong evidence exists supporting the notion that viewing televised violence can relax or remove inhibitions children might have which normally prevent aggressive or antisocial behavior. This effect is clearly largest for children who are temperamentally predisposed to aggressive behavior (Stein & Friedrich, 1972), though it bears noting that this caveat covers a substantial proportion of all children.

Desensitization/Value Development: Without a doubt, the largest and most firmly established effect of viewing televised violence is on our attitudes and values. Children who watch repeated acts of violence on television become desensitized to the effects of violence when they witness it in the real world beyond television. They become less likely to empathize with or help victims of actual violence. A steady diet of televised violence cultivates antisocial values and attitudes (Liebert & Sprafkin, 1988). These children believe that aggression is an appropriate means of settling disagreements and responding to frustration in general. This value-shaping effect of televised violence is especially pervasive, and holds true for persons of all ages, not just children.

Exaggerated Fear of Violence: Because children watch so much television, their view of the world around them is heavily shaped by the medium. Given the high prevalence of violence in the programming children see, it is not surprising that

children have greatly exaggerated fears about violence. They believe the world is far more violent than is actually the case (Gerbner, Gross, Morgan & Signorielli, 1980).

INCIDENCE OF VIOLENT PROGRAMMING

Researchers have provided extensive evidence documenting the fact that entertainment television includes large doses of violence. Drs. George Gerbner and Nancy Signorielli and their colleagues have conducted content analyses of TV programming for over two decades. These studies demonstrate that levels of violence are especially high in children's programming, and this level has increased from a rate of 16.7 violent acts per hour in analyses conducted between 1967 and 1979 to a rate of 26.4 violent acts per hour after 1980 (Gerbner & Signorielli, 1990).

As APA's Task Force on Television and Society has noted, "By the time the average child graduates from elementary school, she or he will have witnessed 8,000 murders and more than 100,000 other assorted acts of violence. Depending on the amount of television viewed, our youngsters could see more than 200,000 violent acts before they hit the schools and streets of our nation as teenagers" (Huston et al, 1992, pp. 53-54).

PUBLIC POLICY AND TELEVISED VIOLENCE

Members of Congress have grappled with this problem for about 35 years. Senator Estes Kefauver held the first hearing on this topic in 1954 under the auspices of his Subcommittee on Juvenile Delinquency. The same subcommittee, chaired by Senator Thomas Dodd, held hearings on violence and children's television in 1961 and 1964. Each of these hearings highlighted the growing amount of violence portrayed on children's television. Network executives asserted their doubts about the relationship between televised violence and children's actual behavior, though most also admitted that some risk existed.

By 1972, following the release of the report of the Surgeon General's Advisory Committee, the research linking televised violence and aggression was fairly widely accepted. During Senator Pastore's hearings that year, even the president of the American Broadcasting Company, Elton Rule, stated that "we are reasonably certain that televised violence can increase aggressive tendencies * * *" (U.S. Senate, 1972, p. 217).

Additional hearings on the topic were held in 1984, 1986, 1987, 1988, and 1989. Sadly, little of substance has changed, and in certain respects, the situation has worsened. For example, during the 1987 hearing before the Senate Subcommittee on Antitrust, Monopolies and Business Rights, the representative from the broadcast industry flatly denied the existence of a problem and stated that there was no violence broadcast on his station (U.S. Senate, 1987). Instead, he characterized his programming as containing "action" scenes.

The barriers to a solution to this problem are extensive. First, the competitiveness in this industry is intense, especially given the growing competition provided by cable services and video cassette recorders. Many people in the industry believe that violence attracts an audience and, hence, advertiser dollars. This belief perpetuates violence in programming because broadcasters are unwilling to risk losing their competitive edge by unilaterally switching to programming that might be less violent and less attractive to viewers.

Second, the constitutional protections afforded by the First Amendment limit the extent to which government can restrict television content (though freedom of speech over the television airwaves is not absolute). Congress has scrupulously avoided entangling itself in this issue by avoiding direct regulation of television content, including violence (the National Association of Broadcasters' "Television Code"). In 1979 the Justice Department brought suit against the NAB, claiming that restraints on advertising contained in the code violated antitrust laws. The District Court of Appeals, in *United States v. National Association of Broadcasters*, found the NAB in violation of antitrust provisions. The television industry, fearing that the portion of the code addressing televised violence might expose them to additional antitrust liability, dropped that portion of the code as well. While all elements of the industry have engaged in some form of self regulation since then, commercial interests have led to routine violations of already weak codes.

Under Senator Simon's leadership, Congress passed the Television Violence Act, offering the broadcast industry an opportunity to reduce televised violence without governmental intervention in determining television content. In December of 1992 the three main television networks (ABC, CBS, NBC) agreed upon a common set of standards or guidelines relating to televised violence. To date, other members of the broadcast industry have not responded in kind. And while it is far too early to determine whether these newly agreed upon standards will positively influence the

programming decisions at the networks, I must note that the programming coming out during the current May "sweeps" is disappointing to say the least. Given that the resolve of the networks to address the problem of television violence seems to have wilted in the face of the "sweeps" competition, I believe that continued oversight by Congress is essential. I also hope that the Federal Communications Commission will also reexamine this issue as they evaluate their policies relevant to children's programming.

Thank you again, Mr. Chairman, for allowing APA to present this summary of the research on televised violence and aggression.

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Senator SIMON. We thank you, Dr. Wilcox.
Dr. Centerwall?

STATEMENT OF BRANDON S. CENTERWALL

Mr. CENTERWALL. Thank you, Mr. Chairman.

In preface to presenting my research findings, let me take a few moments to summarize my background. I received my baccalaureate from Yale University, my medical degree from the University of California in San Diego, and my master's in public health in epidemiology from Tulane University School of Public Health. I am board-certified in public health and general preventive medicine, and I am currently on the faculty of the University of Washington School of Public Health, Department of Epidemiology. I received my advanced training in epidemiology at the Centers for Disease Control in Atlanta, and I was one of the founders of the violence research activity at the Centers for Disease Control.

Congressman Markey has put forward an excellent proposal to require all new television sets to have built-in circuitry permitting parents to block out violent programming, should they choose to. I was going to say that this is the best idea in telecommunications since President Bush signed into law the 1990 Television Decoder Circuitry Act, for which reason all television sets are now manufactured with built-in closed-captioning circuitry, thereby benefiting 24 million deaf and hard-of-hearing Americans. I was going to say that, but I learned yesterday that the Decoder Circuitry Act legisla-

tion was Congressman Markey's. So we see the hand of a man who knows how to pick winners.

At the time, it was estimated that the closed-captioning circuitry would cost \$20 to \$30 per television set. Congressman Markey reports that, in fact, the circuitry is currently costing less than \$1 per set. We can anticipate the same thing with violence-blocking circuitry.

The violence scale should be numerical—say, from V-0 to V-100—and simply document the frequency of violent acts. This would leave all value judgments up to the viewers and would allow parents to set the violence threshold of their choice. Writers, directors, and producers would be free to aim for the high numbers and even to use high V ratings to advertise their programs, should they choose to do so, and you can bank on it that they will. Therefore, a numerical violence scale and violence-blocking system will not entail conflicts with the first amendment or impose limitations upon artistic creativity.

Why is such blocking circuitry needed? It is a matter of factual observation that rates of violence in the United States—murder, rape, assault, child abuse—have doubled since the 1950's. As a member of the CDC violence research team, it was my task to determine why. After 7 years of research, begun at the Centers for Disease Control and completed at the University of Washington, it was concluded that it was the introduction of television into the United States in the 1950's that led to a doubling of rates of homicide and other forms of violence. It was further concluded that the introduction of television into Canada in the 1950's, likewise, led to a doubling of Canada's homicide rate.

This doubling of rates of violence is due to the effects television has upon children in their developing years, effects which are then carried over into their adult lives. It is concluded that childhood exposure to television is a causal factor behind approximately one-half of violent acts committed in the United States. Manifestly, every violent act is the result of an array of forces coming together—poverty, crime, intoxication, stress, conflict—of which exposure to television is just one. Nevertheless, the epidemiologic evidence indicates that if, hypothetically, television technology had never been developed, there would today be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes, and 700,000 fewer injurious assaults. This is why a violence-blocking system in all new television sets is such an excellent idea and why legislation should be passed to make it so.

I shall be happy to answer any questions regarding the specifics of the research. My recently published Special Communication in the Journal of the American Medical Association, entitled "Television and Violence," will serve as my written statement.

Thank you very much, Mr. Chairman.

Senator SIMON. We will enter that into the record.

[The information of Mr. Centerwall follows:]

Special Communication

Television and Violence

The Scale of the Problem and Where to Go From Here

Brandon S. Centerwall, MD, MPH

IN 1975, Rothenberg's Special Communication in *JAMA*, "Effect of Television Violence on Children and Youth," first alerted the medical community to the deforming effects the viewing of television violence has on normal child development, increasing levels of physical aggressiveness and violence.¹ In response to physicians' concerns sparked by Rothenberg's communication, the 1976 American Medical Association (AMA) House of Delegates passed Resolution 38: "The House declares TV violence threatens the health and welfare of young Americans, commits itself to remedial actions with interested parties, and encourages opposition to TV programs containing violence and to their sponsors."²

Other professional organizations since come to a similar conclusion, including the American Academy of Pediatrics and the American Psychological Association.³ In light of recent research findings, in 1990 the American Academy of Pediatrics issued a policy statement: "Pediatricians should advise parents to limit their children's television viewing to 1 to 2 hours per day."⁴

Rothenberg's communication was largely based on the findings of the 1968 National Commission on the Causes and Prevention of Violence⁵ and the 1972 Surgeon General's report, *Television and Growing Up: The Impact of Televised Violence*.⁶ Those findings were updated and reinforced by the 1982 report of the National Institute of Mental Health, *Television and Behavior: Ten Years of Scientific Progress and Impli-*

cations for the Eighties, again documenting a broad consensus in the scientific literature that exposure to television violence increases children's physical aggressiveness.⁷ Each of these governmental inquiries necessarily left open the question of whether this increase in children's physical aggressiveness would later lead to increased rates of violence. Although there had been dozens of laboratory investigations and short-term field studies (3 months or less), few long-term field studies (2 years or more) had been completed and reported. Since the 1982 National Institute of Mental Health report, long-term field studies have come into their own, some 20 having now been published.⁸

In my commentary, I discuss television's effects within the context of normal child development; give an overview of natural exposure to television as a cause of aggression and violence; summarize my own research findings on television as a cause of violence; and suggest a course of action.

TELEVISION IN THE CONTEXT OF NORMAL CHILD DEVELOPMENT

The impact of television on children is best understood within the context of normal child development. Neonates are born with an instinctive capacity and desire to imitate adult human behavior. That infants can, and do, imitate an array of adult facial expressions has been demonstrated in neonates as young as a few hours old, ie, before they are even old enough to know cognitively that they themselves have facial features that correspond with those they are observing.^{9,10} It is a most useful instinct, for the developing child must learn and master a vast repertoire of behavior in short order.

Whereas infants have an instinctive desire to imitate observed human behavior, they do not possess an instinct for gauging a priori whether a behavior ought to be imitated. They will imitate anything,¹¹ including behaviors that most adults would regard as destructive and antisocial. It may give pause for thought, then, to learn that infants as young as 14 months of age demonstrably observe and incorporate behaviors seen on television (Fig 1).^{12,13} (Looking ahead, in two surveys of young male felons imprisoned for committing violent crimes, eg, homicide, rape, and assault, 22% to 34% reported having consciously imitated crime techniques learned from television programs, usually successfully.¹⁴)

As of 1990, the average American child aged 2 to 5 years was watching over 27 hours of television per week.¹⁵ This might not be bad, if young children understood what they are watching. However, up through ages 3 and 4 years, many children are unable to distinguish fact from fantasy in television programs and remain unable to do so despite adult coaching.¹⁶ In the minds of such young children, television is a source of entirely factual information regarding how the world works. Naturally, as they get older, they come to know better, but the earliest and deepest impressions were laid down when the child saw television as a factual source of information about a world outside their homes where violence is a daily commonplace and the commission of violence is generally powerful, exciting, charismatic, and efficacious. Serious violence is most likely to erupt at moments of severe stress—and it is precisely at such moments that adolescents and adults are most likely to revert to their earliest, most visceral

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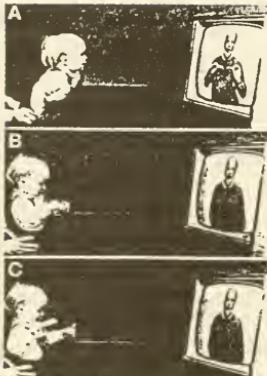


Fig 1.—This series of photographs shows a 14-month-old boy learning behavior from a television set. In photograph A the adult pulls apart a novel toy. The infant leans forward and carefully studies the adult's actions. In photograph B the infant is given the toy. In photograph C the infant pulls the toy apart, imitating what he had seen the adult do. Of infants exposed to the instructional video, 65% could later work the toy, as compared with 20% of unexposed infants ($P < .001$) (reprinted with permission from Melitzoff¹⁹).

sense of what violence is and what its role is in society. Much of this sense will have come from television.

Not all laboratory experiments and short-term field studies demonstrate an effect of media violence on children's behavior, but most do.^{17,18} In a recent meta-analysis of randomized, case-control, short-term studies exposure to media violence caused, on the average, a significant increase in children's aggressiveness as measured by observation of their spontaneous, natural behavior following exposure ($P < .05$).¹⁹

NATURAL EXPOSURE TO TELEVISION AS A CAUSE OF AGGRESSION AND VIOLENCE

In 1973, a small Canadian town (called "Nobel" by the investigators) acquired television for the first time. The acquisition of television at such a late date was due to problems with signal reception rather than any hostility toward television. Joy et al²⁰ investigated the impact of television on this virgin community, using as control groups two similar communities that already had television. In a double-blind research design, a cohort of 45 first- and second-grade students were observed prospectively over a period of 2 years for rates of objectively measured noxious physical aggression (eg, hitting, shov-

ing, and biting). Rates of physical aggression did not change significantly among children in the two control communities. Two years after the introduction of television, rates of physical aggression among children in Nobel had increased by 160% ($P < .001$).

In a 22-year prospective study of an age cohort in a semirural US county (N=875), Huesmann²¹ observed whether boys' television viewing at age 8 years predicted the seriousness of criminal acts committed by age 30. After controlling for the boys' baseline aggressiveness, intelligence, and socioeconomic status at age 8, it was found that the boys' television violence viewing at age 8 significantly predicted the seriousness of the crimes for which they were convicted by age 30 ($P < .05$).

In a retrospective case-control study, Kruttschnitt et al²² compared 100 male felons imprisoned for violent crimes (eg, homicide, rape, and assault) with 65 men without a history of violent offenses, matching for age, race, and census tract of residence at age 10 to 14 years. After controlling for school performance, exposure to parental violence, and baseline level of criminality, it was found that the association between adult criminal violence and childhood exposure to television violence approached statistical significance ($P < .10$).

All Canadian and US studies of the effect of prolonged childhood exposure to television (2 years or more) demonstrate a positive relationship between earlier exposure to television and later physical aggressiveness, although not all studies reach statistical significance.²³ The critical period of exposure to television is preadolescent childhood. Later variations in exposure, in adolescence and adulthood, do not exert any additional effect.^{24,25} However, the aggression-enhancing effect of exposure to television is chronic, extending into later adolescence and adulthood.²⁴ This implies that any interventions should be designed for children and their caregivers rather than for the general adult population.

These studies confirm what many Americans already believe on the basis of intuition. In a national opinion poll, 43% of adult Americans affirm that television violence "plays a part in making America a violent society," and an additional 37% find the thesis at least plausible (only 16% frankly disbelieve the proposition).²⁶ But how big a role does it play? What is the effect of natural exposure to television on entire populations? To address this issue, I took advantage of an historical experiment—the absence of television in South Africa prior to 1975.²⁷

TELEVISION AND HOMICIDE IN SOUTH AFRICA, CANADA, AND THE UNITED STATES

The South African government did not permit television broadcasting prior to 1975, even though South African whites were a prosperous, industrialized Western society.²⁸ Amidst the hostile tensions between the Afrikaner and English white communities, it was generally conceded that any South African television broadcasting industry would have to rely on British and American imports to fill out its programming schedule. Afrikaner leaders felt that that would provide an unacceptable cultural advantage to the English-speaking white South Africans. Rather than negotiate a complicated compromise, the Afrikaner-controlled government chose to finesse the issue by forbidding television broadcasting entirely. Thus, an entire population of 2 million whites—rich and poor, urban and rural, educated and uneducated—was nonselectively and absolutely excluded from exposure to television for a quarter century after the medium was introduced into the United States. Since the ban on television was not based on any concerns regarding television and violence, there was no self-selection bias with respect to the hypothesis being tested.

To evaluate whether exposure to television is a cause of violence, I examined homicide rates in South Africa, Canada, and the United States. Given that blacks in South Africa live under quite different conditions than blacks in the United States, I limited the comparison to white homicide rates in South Africa and the United States and the total homicide rate in Canada (which was 97% white in 1951). Data analyzed were from the respective government vital statistics registries. The reliability of the homicide data is discussed elsewhere.²⁹

Following the introduction of television into the United States, the annual white homicide rate increased by 93%, from 3.0 homicides per 100 000 white population in 1945 to 5.8 per 100 000 in 1974; in South Africa, where television was banned, the white homicide rate decreased by 7%, from 2.7 homicides per 100 000 white population in 1943 through 1948 to 2.5 per 100 000 in 1974 (Fig 2). As with US whites, following the introduction of television into Canada the Canadian homicide rate increased by 92%, from 1.3 homicides per 100 000 population in 1945 to 2.5 per 100 000 in 1974 (Fig 3).

For both Canada and the United States, there was a lag of 10 to 15 years between the introduction of television and the subsequent doubling of the ho-

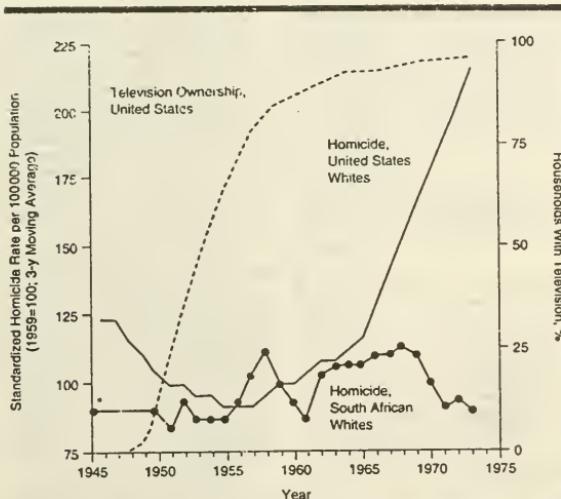


Fig 2.—Television ownership and white homicide rates, United States and South Africa, 1945 through 1973. Asterisk denotes 6-year average. Note that television broadcasting was not permitted in South Africa prior to 1975 (from Centerwall² and reprinted by permission of Academic Press).

micide rate (Figs 2 and 3). Given that homicide is primarily an adult activity, if television exerts its behavior-modifying effects primarily on children, the initial "television generation" would have had to age 10 to 15 years before they would have been old enough to affect the homicide rate. If this were so, it would be expected that, as the initial television generation grew up, rates of serious violence would first begin to rise among children, then several years later it would begin to rise among adolescents, then still later among young adults, and so on. And that is what is observed.⁶

In the period immediately preceding the introduction of television into Canada and the United States, all three countries were multiparty, representative, federal democracies with strong Christian religious influences, where people of nonwhite races were generally excluded from political power. Although television broadcasting was prohibited prior to 1975, white South Africa had well-developed book, newspaper, radio, and cinema industries. Therefore, the effect of television could be isolated from that of other media influences. In addition, I examined an array of possible confounding variables—changes in age distribution, urbanization, economic con-

ditions, alcohol consumption, capital punishment, civil unrest, and the availability of firearms.⁸ None provided a viable alternative explanation for the observed homicide trends. For further details regarding the testing of the hypothesis, I refer the reader to the published monograph⁶ and commentary.²⁵

A comparison of South Africa with only the United States (Fig 2) could easily lead to the hypothesis that US involvement in the Vietnam War or the turbulence of the civil rights movement was responsible for the doubling of homicide rates in the United States. The inclusion of Canada as a control group precludes these hypotheses, since Canadians likewise experienced a doubling of homicide rates (Fig 3) without involvement in the Vietnam War and without the turbulence of the US civil rights movement.

When I published my original paper in 1989, I predicted that white South African homicide rates would double within 10 to 15 years after the introduction of television in 1975, the rate having already increased 56% by 1983 (the most recent year then available).⁸ As of 1987, the white South African homicide rate had reached 5.8 homicides per 100,000 white population, a 130% increase in the homicide rate from the

rate of 2.5 per 100,000 in 1974, the last year before television was introduced.²⁷ In contrast, Canadian and white US homicide rates have not increased since 1974. As of 1987, the Canadian homicide rate was 2.2 per 100,000, as compared with 2.5 per 100,000 in 1974.²⁸ In 1987, the white US homicide rate was 5.4 per 100,000, as compared with 5.8 per 100,000 in 1974.²⁹ (Since Canada and the United States became saturated with television by the early 1960s [Figs 2 and 3], it was expected that the effect of television on rates of violence would likewise reach a saturation point 10 to 15 years later.)

It is concluded that the introduction of television in the 1950s caused a subsequent doubling of the homicide rate, ie, long-term childhood exposure to television is a causal factor behind approximately one half of the homicides committed in the United States, or approximately 10,000 homicides annually. Although the data are not as well developed for other forms of violence, they indicate that exposure to television is also a causal factor behind a major proportion—perhaps one half—of rapes, assaults, and other forms of interpersonal violence in the United States.² When the same analytic approach was taken to investigate the relationship between television and suicide, it was determined that the introduction of television in the 1950s exerted no significant effect on subsequent suicide rates.³⁰

To say that childhood exposure to television and television violence is a predisposing factor behind half of violent acts is not to discount the importance of other factors. Manifestly, every violent act is the result of an array of forces coming together—poverty, crime, alcohol and drug abuse, stress—which childhood exposure to television is just one. Nevertheless, the epidemiologic evidence indicates that if, hypothetically, television technology had never been developed, there would today be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes, and 700,000 fewer injurious assaults.^{25,31}

WHERE TO GO FROM HERE

In the war against tobacco, the tobacco industry is the last group from whom we expect any meaningful action. If someone were to call on the tobacco industry to cut back tobacco production as a matter of social conscience and out of concern for the public health, we would regard that person as being at least simple-minded, if not frankly deranged. Oddly enough, however, people have persistently assumed that the television industry operates by a higher standard of morality than the tobacco industry—that it is useful to appeal to its social

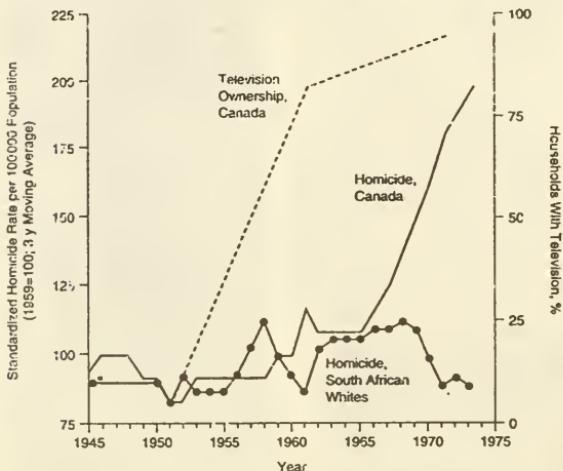


Fig 3.—Television ownership and homicide rates, Canadians and white South Africans, 1945 through 1973. Asenik denotes 6-year average. Note that television broadcasting was not permitted in South Africa prior to 1975 (from Centerwall¹¹ and reprinted by permission of Academic Press).

conscience. This was true in 1969 when the National Commission on the Causes and Prevention of Violence published its recommendations for the television industry.²² It was equally true in 1989 when the US Congress passed a television anti-violence bill that granted television industry executives the authority to confer on the issue of television violence without being in violation of antitrust laws.²³ Even before the law was fully passed, the four networks stated that they had no intention of using this antitrust exemption to any useful end and that there would be no substantive changes in programming content.²⁴ They have been as good as their word.

Cable aside, the television industry is not in the business of selling programs to audiences. It is in the business of selling audiences to advertisers. Issues of "quality" and "social responsibility" are entirely peripheral to the issue of maximizing audience size within a competitive market—and there is no formula more tried and true than violence for reliably generating large audiences that can be sold to advertisers. If public demand for tobacco decreases by 1%, the tobacco industry will lose \$250 million annually in revenue.²⁵ Similarly, if the television audience size were to de-

crease by 1%, the television industry would stand to lose \$250 million annually in advertising revenue.²⁶ Thus, changes in audience size that appear trivial to you and me are regarded as catastrophic by the industry. For this reason, industry spokespersons have made innumerable protestations of good intent, but nothing has happened. In over 20 years of monitoring levels of television violence, there has been no downward movement.^{26,27} There are no recommendations to make to the television industry. To make any would not only be futile but create the false impression that the industry might actually do something constructive.

The American Academy of Pediatrics recommends that pediatricians advise parents to limit their children's television viewing to 1 to 2 hours per day.⁴ This is an excellent point of departure and need not be limited to pediatricians. It may seem remote that a child watching television today can be involved years later in violence. A juvenile taking up cigarettes is also remote from the dangers of chronic smoking, yet those dangers are real, and it is best to intervene early. The same holds true regarding television-viewing behavior. The instruction is simple: For children, less TV is better, especially violent TV.

Symbolic gestures are important, too. The many thousands of physicians who gave up smoking were important role models for the general public. Just as many waiting rooms now have a sign saying, "This Is a Smoke-Free Area" (or words to that effect), so likewise a sign can be posted saying, "This Is a Television-Free Area." (This is not meant to exclude the use of instructional videotapes.) By sparking inquiries from parents and children, such a simple device provides a low-key way to bring up the subject in a clinical setting.

Children's exposure to television and television violence should become part of the public health agenda, along with safety seats, bicycle helmets, immunizations, and good nutrition. One-time campaigns are of little value. It needs to become part of the standard package: Less TV is better, especially violent TV. Part of the public health approach should be to promote child-care alternatives to the electronic baby-sitter, especially among the poor who cannot afford real baby-sitters.

Parents should guide what their children watch on television and how much. This is an old recommendation²⁸ that can be given new teeth with the help of modern technology. It is now feasible to fit a television set with an electronic lock that permits parents to preset which programs, channels, and times they wish the set to be available for; if a particular program or time of day is locked, the set won't turn on for that time or channel.²⁹ The presence of a time-channel lock restores and reinforces parental authority, since it operates even when the parents are not at home, thus permitting parents to use television to their family's best advantage. Time-channel locks are not merely feasible, but have already been designed and are coming off the assembly line (eg, the Sony XBR).

Closed captioning permits deaf and hard-of-hearing persons access to television. Recognizing that market forces alone would not make closed-captioning technology available to more than a fraction of the deaf and hard-of-hearing, the Television Decoder Circuitry Act was signed into law in 1990, requiring that, as of 1993, all new television sets (with screens 33 cm or larger, ie, 96% of new television sets) be manufactured with built-in closed-captioning circuitry.³⁰ A similar law should require that eventually all new television sets be manufactured with built-in time-channel lock circuitry—and for a similar reason. Market forces alone will not make this technology available to more than a fraction of households with children and will exclude poor families, the ones who suffer the most from violence. If we can make

television technology available that will benefit 24 million deaf and hard-of-hearing Americans,²⁰ surely we can do no less for the benefit of 50 million American children.²¹

Unless they are provided with information, parents are ill-equipped to judge which programs to place off-limits. As a final recommendation, television programs should be accompanied by a violence rating so parents can gauge how violent a program is without having to watch it. Such a rating system should be

quantitative and preferably numerical, leaving aesthetic and social judgments to the viewers. Exactly how the scale ought to be quantified is less important than that it be applied consistently. Such a rating system would enjoy broad popular support: In a national poll, 71% of adult Americans favor the establishment of a violence rating system for television programs.²²

It should be noted that none of these recommendations impinges on issues of freedom of speech. That is as it should

be. It is not reasonable to address the problem of motor vehicle fatalities by calling for a ban on cars. Instead, we emphasize safety seats, good traffic signs, and driver education. Similarly, to address the problem of violence caused by exposure to television, we need to emphasize time-channel locks, program rating systems, and education of the public regarding good viewing habits.

Figure 1 was provided by A. N. Meltzoff, University of Washington, Seattle.

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Senator SIMON. First, Dr. Wilcox, I would like to just stress one other point that you mentioned, and I am quoting you, "Given the high prevalence of violence in the programming children see, it is not surprising that children have greatly exaggerated fears about violence. They believe the world is far more violent than is actually the case," so that we add to children's fears needlessly in the process.

Mr. WILCOX. That is absolutely true.

Senator SIMON. Both of you have spoken in very dogmatic terms in terms of the proof that violence on television causes violence in our society. Is there any question in your mind on that at all?

Mr. CENTERWALL. No.

Mr. WILCOX. None here.

I remember, Senator, I think, 3 years ago when you brought in a pile of reports summarizing the research on this and, if I remember correctly, we had a mountain of reports in this hearing room summarizing that research. It is one of the most heavily studied issues there is.

Senator SIMON. There is no question. We have over a thousand studies; 85 very substantial studies.

Just as the Tobacco Institute comes up with research showing that cigarettes don't do any harm, there is a study by the University of Toronto that disputes this. Any comments on that?

Mr. WILCOX. The study you are referring to is actually a literature review that was conducted by a psychologist at the University of Toronto. There have been published at least three critiques of that literature review. I won't go into the details of that critique. I would be happy to provide those to the committee, if you would like, but that is one summary of the research.

We have to remember that in 1972 the Surgeon General had a report which came to the conclusion that violence is causally related to aggression. In 1982, we had the NIMH update of the Surgeon General's report. We have several other extensive literature—

Senator SIMON. For those of you who may not know what NIMH is, would you tell us?

Mr. WILCOX. National Institute of Mental Health.

Then we have had at least three recent, what I call, meta-analyses which use statistical techniques to summarize the research, far more powerful than the method used in the Toronto evaluation, and those have all concluded, again, that there is a causal link and it is a real link and it is a practically important link between TV violence and aggression.

Senator SIMON. Dr. Centerwall?

Mr. CENTERWALL. As regards the Toronto study, which was by Dr. Friedman, that was published 10 years ago and at the time, his concluding remark was at the end of his report that he felt that the idea that television causes violence was a plausible hypothesis, but that it simply needed further evidence.

In the 10 years that have passed since his report, I would estimate that of the best quality studies, 90 percent of them, have been published since Dr. Friedman published his statement. So, therefore, the research has been done.

Senator SIMON. Senator Metzenbaum?

Senator METZENBAUM. No questions. Thank you.

Senator SIMON. Senator Feinstein?

Senator FEINSTEIN. No questions. Thank you.

Senator SIMON. Senator Conrad?

Senator CONRAD. No questions. Thank you.

Senator SIMON. We thank you both very much for your testimony.

Our next panel is Thomas S. Murphy, chairman of the board of Capital Cities/ABC, Inc.; Howard Stringer, president, CBS Broadcast Group; Warren Littlefield, president of NBC Entertainment; and George Vradenburg, executive vice president of Fox, Inc.

Unless you have a preference, I am simply going to follow the order in which I call people. Let me note that two of you, Mr. Littlefield and Mr. Vradenburg, are wearing ties that are excellent for color TV. Mr. Stringer and Mr. Murphy are not.

Mr. Murphy?

Mr. MURPHY. I am a little disappointed.

Senator SIMON. And Senator Metzenbaum is, also.

Mr. Murphy, before I call on you on this issue of television violence, let me commend ABC for what you have done in the field of literacy. This is a largely hidden problem in our society; 23 million adult Americans who can't read a newspaper, can't fill out an employment form; 3 million adult Americans who cannot read their name in block print. And you have performed a public service in this field, and I appreciate it.

PANEL CONSISTING OF THOMAS S. MURPHY, CHAIRMAN OF THE BOARD, CAPITAL CITIES/ABC, INC.; HOWARD STRINGER, PRESIDENT, CBS BROADCAST GROUP; WARREN LITTLEFIELD, PRESIDENT, ENTERTAINMENT, NATIONAL BROADCASTING CO., INC.; AND GEORGE VRADENBURG III, EXECUTIVE VICE PRESIDENT, FOX, INC.

STATEMENT OF THOMAS S. MURPHY

Mr. MURPHY. Thank you, Senator.

Talking about my tie, I don't know whether I want to get a lot of visibility on television on this particular occasion.

Mr. Chairman and members of the committee, my name is Thomas Murphy. I am chairman of the board of Capital Cities/ABC. Thank you for inviting me to participate in today's hearing on a very important issue for all of us, the depiction of violence on television.

With your permission, I would like to summarize my written testimony.

Senator SIMON. Your full statements will be entered in the record.

Mr. MURPHY. I have been a broadcaster for almost 40 years. I know the power of television to inform, entertain, and influence. I also recognize our responsibility to guard against the broadcast of excessive or gratuitous violence. Our Constitution gives us important first amendment rights, but with those rights come equally important responsibilities.

We have tried hard to prevent excessive violence on ABC, and we intend to try harder. ABC was created expressly for the audience

of young postwar families and still maintains the tradition of being a family network.

In our new fall schedule for prime time, the largest component, almost 40 percent, is comedy. Police drama totals another 18 percent, and news magazines, romance, movies, and sports make up the rest.

Our company has longstanding policies designed to responsibly address the portrayal of violence on our network. We take these policies seriously and enforce them vigorously. We take special precautions for children's programming.

Like the other networks, we maintain a special division, the Department of Broadcast Standards and Practices, to review all entertainment programming, network promotions and commercials, for compliance with our standards. My written statement details our general principles in this area.

But the fact that we do a lot to regulate the depiction of violence does not mean that we cannot do more. As a result of several new initiatives, I expect changes over time in what viewers see on television.

First, in response to legislation initiated by Chairman Simon and this committee, CBS, NBC, and ABC late last year agreed upon common standards. We believe that the uniformity and specific nature of the standards, as well as the publicity they have received, will help to ensure even more exacting program review by three of the networks.

Chairman Simon's Violence in Television Act has also prompted a second initiative. In August, senior executives in all parts of the industry, over-the-air networks, cable, independent stations, and the production community, will meet for the first time to discuss violence on television, where the problems lie and how we can do better.

A broad spectrum of educators, social scientists, and policy-makers will be invited to share research and views. The conference raises the prospect that all parts of the industry can join together to grapple with the issue of violence in the media without Government intervention.

A third initiative comes from the increased sensitivity of the American people to depictions of violence on television. This has led us to be more sensitive in ordering shows for our new schedules. The degree and use of violence on our programs will, I am confident, constitute a more important factor than ever in deciding whether to approve a show for air on our network.

Finally, we have undertaken an internal review of our use of parental advisories on shows depicting violence. We have concluded that we should put advisories on our programs more regularly. This is in everyone's best interest.

I have described many constructive efforts which I believe can make a difference. Network television, however, is no longer the only game in town. Until now, the primary responsibility for controlling the depiction of violence has fallen to the networks, which maintain extensive standards, departments, and policies. Our cable and independent station competitors, however, now attract nearly 40 percent of the audience and their involvement is crucial to developing a comprehensive strategy to address this issue.

I would like to conclude with two cautionary thoughts. First, there will always be compelling stories worth telling that contain conflict and violence. Our goal should be to maintain a proper balance in our overall schedule so that stories with physical conflict do not predominate and the nature and levels of violence shown are appropriate to the subject matter, the hour, and the audience.

Second, it is important that the Government exercise restraint in interfering with the content of the programming. Our Founding Fathers had the wisdom to recognize the importance of freedom of expression. We must guard this freedom zealously. We recognize that the right to free expression is not absolute. Our Constitution grants our industry the right to control program content because the risks associated with Government involvement in programming are so great. We all share a common concern with violence on television, but it is essential that the industry police itself.

We do not believe our first amendment rights include the right to insulate ourselves from criticism. Indeed, we are more effective because we hear from viewers. We expect and welcome give-and-take and meaningful discussion about the content of our programming. That is why we are present at this hearing.

I am proud of the efforts we at Capital Cities/ABC have made to regulate the depiction of violence on our network and I am pleased with the new initiatives we have underway, but I also believe that we can make further progress. We intend to continue to do our part.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Murphy follows:]

PREPARED STATEMENT OF THOMAS S. MURPHY ON BEHALF OF CAPITAL CITIES/ABC, INC.

Mr. Chairman and members of the Committee, my name is Thomas Murphy. I am Chairman of the Board of Capital Cities/ABC, Inc. Thank you for inviting me to participate in today's hearing on a very important issue for all of us: the depiction of violence on television.

I have been a broadcaster for almost 40 years. I know the power of television to inform, entertain, and influence. I also recognize our responsibility to guard against the broadcast of excessive or gratuitous violence. Our Constitution gives us important First Amendment rights, but with those rights come equally important responsibilities.

Our Company has long-standing policies that responsibly address the portrayal of violence on our network. We take these policies seriously and enforce them vigorously. Until now, the primary responsibility for controlling the depiction of violent content on television has fallen principally to the networks, which have extensive standards departments and policies. Our cable and independent station competitors, however, now attract nearly 40 percent of the viewing audience, and their involvement is crucial for developing a comprehensive strategy to address this issue.

We have tried hard to prevent excessive violence on ABC, and we intend to try harder. As *The New York Times* recently noted, our network's founder, Leonard Goldenson, created ABC expressly for an audience of young postwar families, and, as *The Times* recognized, we still maintain that tradition of being a "family" network. In our new fall schedule for prime time, the largest component—almost 40 percent—is comedy. Police dramas total another 18 percent, and news magazines, romance, movies and sports make up the rest.

But the fact that we do a lot to regulate the depiction of violence does not mean that we cannot do more. Indeed, our approach to violence is evolving in ways that may well change what we see on television.

Let me describe our general principles in this area. I will then focus on the special guidelines we have for childrens programming.

First, violence may not be portrayed gratuitously. It must be necessary to tell a story. Producers and writers must establish that the depiction of violent acts is es-

sential to illustrate a story theme, to portray a character trait, or to convey the day-to-day experiences of a character, such as a police officer, boxer, or gang member.

Second, the consequences of violence must be depicted so that violence will not be glamorized. Viewers must be shown the detrimental effects of violence—whether through the imprisonment of a violent character, the break-up of a family, or the disruption of a neighborhood, school or home.

We also require programmers to make every effort to depict other ways to resolve conflict so that we do not inadvertently teach viewers to treat violence as a simple and effective means of solving problems.

Finally, we prohibit our shows from conveying how to use weapons, commit crimes or avoid detection; our role is to entertain viewers, not to educate would-be criminals.

Our standards apply with equal force to commercials and to promotionals for our programs. While we accept advertising for some "R" rated films in some dayparts, we make sure the commercials and promotions do not contain excessive or gratuitous violence. We also reject commercials because the films are too violent. Commercials for "R" rated movies may air only in adult-directed programs telecast after 9 P.M., in daytime dramas and on "Good Morning America." They may not air during family-oriented programs such as "Home Improvement," "Dinosaurs," and "Camp Wilder" even if the family-oriented programs air after 9 P.M. In short, we make every effort to ensure that promotions and commercials that contain or refer to violent material do not air during family viewing hours.

We are even more vigilant with programs targeted at young children, who are the most vulnerable and impressionable members of our society. We do not permit the display of realistic weapons or violence that is easily copied. We also require that shows aimed at a youthful audience promote positive values and convey moral messages. The hero must be good, must have a positive, pro-social purpose, and may never initiate aggression. Villains generally must be larger than life fantasy creatures and may never be glamorized or made attractive.

To further protect children, we generally schedule programs that are suitable only for an adult audience after 9 P.M. We also accompany programs that clearly are inappropriate for children with a parental advisory. In addition, we often edit out violence from cartoons produced originally for theatrical exhibition and from commercials directed at children. We do not permit realistic depiction of crime and do not accept commercials for realistic toy guns.

These policies are not self-enforcing. We have a special division—the Department of Broadcast Standards and Practices—to review all entertainment programming and network promotions and commercials for compliance with our standards. It is headed by a Vice President of the Corporation, and employs 21 professionals who review and evaluate entertainment programming at all stages of development from the preparation of a script to the final editing of a program or commercial.

Because we are concerned with both the explicit and implicit values conveyed on stories and commercials, our editors evaluate a variety of program elements, including language, theme, treatment of racial, ethnic or minority groups, sexuality, gender, general taste and appropriateness and, of course, violence. These editors work directly with our production staff.

I have outlined many of the ways we have approached portrayals of violence on our network to date. However, as a result of several new initiatives, I expect changes over time in what viewers see on television. First, in response to legislation initiated by Chairman Simon and this Committee, CBS, NBC, and ABC late last year agreed upon common standards restricting how and when we will show violent acts on our networks. We believe that the uniformity and specific nature of the standards—as well as the publicity they have received—will help to ensure even more exacting program review by the three networks.

It is important to note, however, that the joint standards thus far have been endorsed only by ABC, CBS, and NBC. I cannot overemphasize the fact that network television is no longer the only game in town. Without the participation of cable, the independent television stations, the Hollywood Studios and the independent production community—most of whom lack the standards and practices policies we implement—there can be no possibility that the issue of violence in programming will be dealt with comprehensively. We frequently receive complaints from viewers about content on our shows only to discover that the program did not air on *network* television but in some other media forum. Indeed, according to a recent TV Guide study, the three Networks clearly depict less violence than other media outlets.

Chairman Simon's Violence in Television Act has also prompted a second initiative. In August of this year, senior executives in all parts of the industry—over-the-air networks, cable, independent stations, and the production community—will meet for the first time to discuss violence on television, where the problems lie, and how

we can do better. A broad spectrum of educators, social scientists, and policy makers will be invited to share research and views. The conference raises the prospect that all parts of the industry can join together to grapple with the issue of violence in the media without government intervention.

Third, the increased sensitivity of the American people to depictions of violence on television has led us to be more sensitive in ordering shows for our new schedules. The degree and use of violence on our programs will, I am confident, constitute a more important factor than ever in deciding whether to approve a show for air on our network.

Finally, we have undertaken an internal review of our use of parental advisories on shows depicting violence. We have concluded that we should put advisories on our programs more regularly. This is in everyone's best interests.

I have described many constructive efforts which, I believe, can make a difference—our individual standards, the standards jointly adopted with CBS and NBC, formal discussions among the entire television community, a new sensitivity to violent content in deciding what shows go on our schedule, and increased use of advisories and other information designed to inform parents about the nature of our programming. These efforts will, I believe, over time change the nature and level of violence our viewers see on television.

But let me conclude with two cautionary thoughts. First, there always will be compelling stories worth telling that contain conflict and violence. Our goal should be to maintain a proper balance in our overall schedule so that stories with physical conflict do not predominate and the nature and levels of violence shown are appropriate to the subject matter, the hour, and the audience.

Second, the government must exercise restraint in interfering with the content of the programming the media portrays. Our Founding Fathers had the wisdom to recognize the importance of freedom of expression to democratic self-governance. We must guard this freedom zealously. Although the right to free expression is not absolute, our Constitution grants our industry the right to control the content of our programs because the risks associated with government involvement in programming decisions are so great. However strong our common concern with violence on television, it is essential that the industry police itself.

Our First Amendment rights, however, do not include the right to insulate ourselves from criticism; indeed, we are more effective because we hear from viewers. We expect and welcome give-and-take and meaningful discussion about the content of our programming; that is why we are present at this hearing.

In conclusion, let me underscore our commitment to responsible programming. We take seriously our duty to police ourselves. It is why we have a standards department to review the content of our programs, promotions, and commercials. It is why we require our programmers to convince us that the depiction of violence is integral to story line and character development. It is why we will display greater sensitivity to portrayals of violence in selecting new shows.

I am proud of the efforts we at Capital Cities/ABC, Inc. have made to regulate the depiction of violence on our network, and I am pleased with the new initiatives we have underway. But I also believe that we can make further progress. We intend to continue to do our part.

Thank you.

Senator SIMON. Thank you, Mr. Murphy.
Mr. Stringer?

STATEMENT OF HOWARD STRINGER

Mr. STRINGER. Good morning. I am Howard Stringer, president of the CBS Broadcast Group, and it is an honor to appear before you.

One of our industry's founding fathers, along with William Paley of CBS and Robert Sarnoff of NBC and Leonard Goldenson of ABC, was the British Broadcasting Corporation's Lord Reith, who had this to say about broadcasting's mission, and I think this is something we should all try, perhaps, to relearn:

Our responsibility is to carry into the greatest number of homes everything that is best in every department of human knowledge, endeavor, and achievement, and to avoid the things which are or may be hurtful. It is occasionally indicated to us that we are apparently setting out to give the public what they think they need,

not what they want. But few people know what they want and very few people what they need. There is often no difference. In any case, it is better to overestimate the mentality of the public than underestimate it.

While I, like Tom, confess to occasional frustration with the program standard to which the three traditional networks are held when it so often seems our myriad competitors are held to no standard at all, Senator Simon is right that it is no longer enough for us to point fingers at others until we ourselves are blameless.

Let me emphasize that we do recognize the leading role that CBS plays in our industry and our society, and it is for this reason that last December, taking advantage of the opportunity afforded by the Simon-Glickman Television Violence Act, we joined ABC and NBC on two major initiatives to address the concerns about violence.

First, we adopted joint principles on the depiction of violence on our networks. While we act independently to monitor our own programs according to our separate, detailed standards and practices, these broad, joint principles are a reaffirmation of our public responsibility for what we send out on the airwaves to every State and every community and every home.

We also hope the principles can serve as a model for others in the industry, whether broadcasters, cable or syndicators, whether paid or advertiser-supported services, whether distributors or program producers. These principles should help encourage them to examine their own obligations to the public, to their viewers, and to themselves. We hope that every segment of the television industry will find an appropriate way to acknowledge the seriousness of this issue and take responsibility for what they send out to the public.

We are working together with the National Council for Families and Television to help convene this unprecedented and industry-wide conference in Los Angeles to address television violence. In co-operation with the cable industry and Hollywood, it appears that we will actually have a broad cross-section of the television production and distribution communities in attendance.

For our part, in addition to the leadership of the CBS Entertainment Division, we will invite outside program suppliers for our fall schedule so they can hear firsthand the academic, government, and industry concerns and research as they prepare for 1993 and 1994.

This historic conference is the first time the entire industry will come together to discuss this issue, and we are most grateful that Senator Simon has agreed to be the keynote speaker.

We hope that our joint principles and our conference will help us persuade the television industry of the seriousness of the television violence issue. We further hope that the result will be television programming that, while reflective of the society in which we live, avoids gratuitous depictions of violence that contribute nothing to our cultural life.

But there is no simple answer to this problem. It cannot and will not be solved in a day or a week. But we have already taken important steps. In the past year alone, I have participated in more meetings on this subject than in my prior 22 years in the broadcasting business as a writer, producer, director, and executive. We have benefited from the public and private discourses initiated by Senator Simon and sometimes with Senator Simon. We have con-

vened lengthy sessions of our senior management including program development, promotion, program practices, and advertising sales divisions to review all aspects of this issue, and this is unique. We have asked ourselves tough questions about the appropriateness of where we place programs on our schedule, and we have agreed that we could have done a better job on that score last year.

This year's scheduling meetings, completed Wednesday of this week, included careful and extensive discussions of violence as we shaped our 1993 schedule. We have studied our promotional spots and where they are placed, so as to be more sensitive to younger audiences, while providing adequate notice of program content to parents. We are looking more carefully at the content of movies, both those made for television and theatrical releases, and we are exploring improved ways to advise our viewers of program content, so they can make more informed programming decisions for themselves.

We have stepped forward, but we must do more and we will. We remain especially concerned about non-network programs we air on the stations CBS owns. We have little control over the content of individual episodes of those programs, including the tabloid shows that dominate the prime time access period, a time which the FCC effectively prevents us from programming ourselves. These shows, shown in the early evening, have projected a new blend of flashy, quick, MTV-paced sex and violence that should concern all of us.

Even as we continue to act to build greater industry awareness and accountability, CBS reaffirms its concern as to how violence is depicted on our network and reassures you of our commitment to apply reasonable, contemporary standards to our programming reflecting that high degree of concern.

In doing so, we affirm that the ultimate responsibility for the network's program decisions rests with us at CBS. We accept that responsibility in both a corporate and a personal sense.

I am the proud father of a 5-month-old son and a member of a senior management team which includes many parents of young children. We must and do discuss whether we would be comfortable having our own children watch what we are distributing to the children of others.

For if we separate, like church and State, our corporate values from our personal values, then in the end we broadcast programs to others we would not be willing to share with our own family and friends. We are guests in the living rooms of America. So our personal values should be the most useful litmus test of taste and the surest guide to decency and sensitivity. That is not just preferable to censorship. In the end, it is likely to be more effective in a democratic society.

Thank you very much.

Senator SIMON. We thank you, Mr. Stringer.
Mr. Littlefield?

STATEMENT OF WARREN LITTLEFIELD

Mr. LITTLEFIELD. Good morning. My name is Warren Littlefield and I am president of NBC Entertainment. I supervise the development and production of NBC's entertainment programming, includ-

ing prime time, late night, and Saturday morning programming. I started with NBC in 1979 and I have been involved in the creation of all the current programming on NBC's prime time schedule.

I am also the parent of an 8-year-old son and an 11-year-old daughter. My wife and I understand that today's television universe is vastly different from what we watched as children. Back then, the networks were the television universe. This is simply not true for my children. For them, there is no difference between channels 7, 24, 30, or 65. What also concerns us, then, as parents is the great proliferation of non-network channel offerings which flood into our home.

In March, I was asked and agreed to act as a volunteer as an expert adviser to the RAND Corp. in its proposed evaluation of the California Wellness Foundation's Violence Prevention Initiative. RAND has asked me to assist this effort by explaining how the television industry evaluates violence-related content. This initiative is one of the many sponsored by the California Wellness Foundation which has invested about \$30 million on projects designed to reduce youth violence in California.

I have just completed the planning of our next season's programming schedule. We have met your challenge to show progress. The proof is in our programming selections. I am prepared to discuss with you today any of these selections. I do, however, want to stress that our decisions in arranging that schedule were directly affected by our constant and growing concern for decreasing excessive violence. This vigilance is due in large part to your leadership, Chairman Simon, and NBC commends you and your committee for their work.

Chairman Simon, you have challenged the entire entertainment industry to do a better job. NBC has gotten the message. We are listening. We hear you. We have been and will continue to take steps to scrutinize with even greater intensity the depiction of violence on television. You are absolutely right when you refer by analogy to a nuclear weaponry accord. All components of the entertainment industry should voluntarily take individual steps to counter the inappropriate portrayal of violence in entertainment programming. And all elements of the industry need to act to reduce such programming. The days of broadcast network dominance have gone by the way of black-and-white television.

With programming standards, my statements would be very much the same as my counterparts at ABC and at CBS. We have written requirements, which we scrutinize as to acts of violence in our programming.

I know that the May sweeps has gotten widespread publicity. I ask, however, that you also consider our next season's fall schedule. These selections were made after our meetings with Chairman Simon and the adoption of the Joint Network Standards. Attached to my testimony is the NBC Television Network Prime Time Schedule, which we just announced.

We are very proud of this new schedule. In particular, you should note the distinctly nonviolent content of these offerings. There are seven new comedy programs, two new dramas, a weekly "who dunnit" mystery movie, and a soap opera format. The two new dramas are "Against the Grain," a 1-hour family drama about a

coach of a high school football team in a small town outside Dallas; and "Seaquest DSV," a Steven Spielberg-produced, 1-hour adventure series that explores the oceanic frontier 25 years in the future aboard a Nautilus-like submarine. There will also be a new news magazine format featuring Tom Brokaw and Katie Couric.

At NBC, a year ago, we abandoned Saturday morning animation programming. Yes, some were action-adventure and had acts of violence. In its place, we put news programming and a teen block of live action comedy, and we have had much praise, and we have won many awards for that teen block of programming.

NBC will also actively participate in the industry-wide conference on violence in Los Angeles this summer.

NBC takes affirmative and positive steps to deal with the issue of violence in our society. This fall, we launched our fourth consecutive season of the nationally recognized, "The More You Know" public service message and community action campaign. This phase of the campaign premiered in September and focussed on the issue of teenage violence, conflict, and resolution. And we were just recently awarded the George Foster Peabody Award for this campaign.

We are also going to devote this fall a number of upcoming episodes and a variety of our television series to themes about antiviolence, and these will play in the early evenings, the 8-to-9 hour, so that we can affect the youth of America with these themes.

I believe today, if you examine the three networks' prime time schedules, you will find that there are fewer programs that are likely to contain violent elements than there were 5 years ago. We at NBC are even more sensitive today, and I am confident with our new program schedule you will find there will be a further reduction of violence in our future.

Thank you.

[The prepared statement of Mr. Littlefield follows:]

PREPARED STATEMENT OF WARREN LITTLEFIELD ON BEHALF OF THE NATIONAL BROADCASTING CO., INC.

My name is Warren Littlefield and I am President of NBC Entertainment. I supervise the development and production of NBC's entertainment programming including prime time, late night and Saturday morning programming. I started with NBC in 1979 and I have been involved in the creation of all the current programming on NBC's prime time schedule.

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PROGRAMMING STANDARDS

NBC maintains a written set of Program Standards which require that we exercise special care and sensitivity in connection with the depiction of violence. When concern over violence on television is voiced, the principal focus is almost always the impact on children. It is therefore important to note that the few action-oriented dramas that appear on NBC are not designed for, targeted at, or significantly viewed by children. In fact, of the ten most-watched programs on television among children and teenagers, eight are situation comedies, which do not contain any violence.

The goal of NBC's policy on violence is not to eliminate all action or conflict from our programming—these often are legitimate and essential elements of drama. What we strive to eliminate is excessive or gratuitous violence—violence included only for its shock value or which is not essential to the development of theme, plot or characterization. Our standards also require that the negative consequences of violence must be portrayed when it plays an integral role in a story or theme.

We constantly work to update the NBC Program Standards in light of our understanding of public taste, and we keep ourselves informed of the views of leading experts in the field, such as the Centers of Disease Control and the Harvard School of Public Health.

NBC has dedicated personnel and procedures to review all the programming on NBC's entertainment schedule and to work with our suppliers if editing is required. As each program produced for original telecast on the NBC Television Network goes through the production process, NBC program executives and the trained professionals in the Broadcast Standards and Practices Department review the program for compliance with our standards. We do not hesitate to require changes.

Feature films originally produced for theatrical release receive close scrutiny by the Broadcast Standards and Practices Department and unacceptable footage is required to be deleted. We have provided written documentation to your staff which illustrates this process. Gratuitous violence, graphic sexual scenes and profanity are the most frequent deletions. At times we even request and receive changes in the script in order to provide the viewer with a different message than what was delivered in the film's original form. If we determine that a film cannot be revised to conform to our standards, we will not broadcast it.

NBC Entertainment works with NBC's Broadcast Standards and Practices to make sure that programs containing adult themes or content are scheduled later in the evening when the vast majority of viewers are adults. Thus, NBC's 8-9:00 p.m. programming consists of situation comedies, non-violent dramas and reality shows.

1993-1994 PRIME TIME SCHEDULE

I know that the May Sweeps has gotten widespread publicity. I ask, however, that you also consider our next season's entertainment schedule. These selections were all made after our meetings with Chairman Simon and the adoption of the Joint Network Standards. Attached to my testimony is the NBC-TV's 1993-1994 Prime Time Schedule which we have just announced within the last week.

We are very proud of our new programming schedule. In particular, you should note the distinctly non-violent content of these offerings. There are seven new comedies, two new dramas, a weekly "who dunnit" mystery movie and soap opera format mini-series. The two new dramas are: "Against the Grain," a one-hour family drama about a coach of the high school football team in a small town outside Dallas, and "Seaquest DSV," a Steven Spielberg produced one-hour action-adventure series that explores the oceanic frontier 25 years in the future aboard a Nautilus-like submarine. There will also be a new news magazine format show featuring Tom Brokaw and Katie Couric.

ARRANGEMENT OF INDUSTRY CONFERENCE

Late last year NBC, CBS and ABC announced their intention to arrange an industry-wide conference in Los Angeles on the issue of the depiction of violence. As you know, the conference is scheduled for August 2, 1993. All segments of the entertainment industry are now helping to plan that conference and will be participating in and listening to these discussions. The appropriate NBC executives will attend the conference and we will hold our own meeting the following day to discuss the conference.

THE MORE YOU KNOW CAMPAIGN

NBC takes affirmative and positive steps to deal with the issue of violence in our society. This fall NBC launched its fourth consecutive season of the nationally recognized "The More You Know" public service messages and community action campaign. This phase of the campaign premiered in September and focused on the issue of teenage violence—conflict and resolution. It includes violence prevention messages featuring NBC stars which are broadcast by the NBC Network and our affiliated stations across the country. The spots were prepared in consultation with nationally-recognized experts. Just last week, NBC's The More You Know Campaign was presented with the George Foster Peabody Award for the television public service category. This so-called "Pulitzer Prize of Broadcasting" is among the industry's most highly awarded honors.

ANTI-VIOLENCE STORYLINES

NBC is also planning to devote a number of upcoming episodes in a variety of our sitcoms this fall to conflict-resolution and anger-management values, particularly in those programs which are most likely to be viewed by children. Additionally, specific public service announcements featuring NBC celebrity role models will be aired providing further anti-violence tips and messages.

CONCLUSION

NBC's programming goal is always to entertain. We are frequently also able to enlighten by addressing social issues such as child abuse and domestic violence. The NBC programs that are heavily viewed by young people often deal positively with moral and social issues, and try to depict positive interaction between young characters and authority figures such as teachers and parents.

Through our standards, policies, procedures and public service activities, NBC has tried to deal responsibly with the depiction of violence on television. Our system, which we constantly strive to improve, is not perfect, and we cannot please everyone. Perceptions of violence differ; the judgments we make are inherently subjective. But on the whole our policies and practices are effective. Our frustration is that despite our own rigorous application of written standards, the dedication of resources and staff to controlling violence in our programs, and the non-violent nature of NBC's programming, we are still often confused with other distribution outlets that have no standards, policies or mechanisms to screen out excessive violence.

I believe that today if you examine the three networks' prime time schedules, you will find that there are fewer programs that are likely to contain violent elements than there were five years ago. We at NBC are even more sensitive today, and I am confident with our new program schedule you will find there will be a further reduction in the future.

NBC-TV'S 1993-94 PRIME-TIME SCHEDULE

(ALL TIMES NYT; NEW SERIES IN CAPITAL LETTERS)

Monday

- 8-8:30 p.m.—"The Fresh Prince of Bel-Air"
- 8:30-9 p.m.—"Blossom"
- 9-11 p.m.—NBC Monday Night at the Movies

Tuesday

- 8-8:30 p.m.—"SAVED BY THE BELL: THE COLLEGE YEARS"
- 8:30-9 p.m.—"GETTING BY"
- 9-9:30 p.m.—"THE JOHN LARROQUETTE SHOW"
- 9:30-10 p.m.—"THE SECOND HALF"
- 10-11 p.m.—"Dateline NBC"

Wednesday

8-9 p.m.—“Unsolved Mysteries”
 9-10 p.m.—NBC NEWS MAGAZINE (Working Title)
 10-11 p.m.—“Law & Order”

Thursday

8-8:30 p.m.—“Mad About You” (new day & time)
 8:30-9 p.m.—“Wings”
 9-9:30 p.m.—“Seinfeld” (new time)
 9:30-10 p.m.—“FRASIER”
 10-11 p.m.—“L.A. Law”

Friday

8-9 p.m.—“AGAINST THE GRAIN”
 9-11 p.m.—THE NBC FRIDAY NIGHT MYSTERY (see note)

Saturday

8-8:30 p.m.—“MOMMIES”
 8:30-9 p.m.—“CAFE AMERICAIN”
 9-9:30 p.m.—“Empty Nest”
 9:30-10 p.m.—“Nurses”
 10-11 p.m.—“Sisters”

Sunday

7-8 p.m.—“I Witness Video”
 8-9 p.m.—“SEAQUEST DSV”
 9-11 p.m.—NBC Sunday Night at the Movies

Note: The NBC Friday Night Mystery features a sequence of two-hour movies, starring Kenny Rogers; Larry Hagman; Raymond Burr as Perry Mason; and an updated version of “Hart to Hart.”

Fall Schedule—2

The first six-hour installment of “Great Escapes,” titled “Tradewinds,” will be presented Friday, Aug. 27, with a two-hour premiere (9-11 p.m. NYT), followed by four one-hour episodes (10-11 p.m. NYT). The second series, “Lake Success,” will follow on Friday, Oct. 1, and continue for three consecutive weeks with two-hour episodes (all 9-11 p.m. NYT). The NBC Friday Night Mystery will premiere on Friday, Oct. 22 (9-11 p.m. NYT).

Following are brief descriptions of the new programs. More complete descriptions will be issued this coming Monday, May 17.

NBC'S NEW PRIME-TIME SERIES FOR FALL OF 1993

COMEDIES

“CAFE AMERICAIN”—Valerie Bertinelli (“One Day at a Time”) returns to series television in this half-hour comedy as Holly Alridge, a resourceful American divorcee who follows her dreams to Paris to put a continental spin on a new beginning. Peter Noah (“Anything but Love”) is the executive producer, creator and writer. Jack Grossbart (“Sydney”) is executive producer, and James Burrows (“Cheers”) directs the pilot. “Cafe Americain” is a Yes, but * * * Production in association with Lorimar Television.

“FRASIER”—Kelsey Grammer reprises his popular role as Dr. Frasier Crane from “Cheers” in this comedy, which takes the noted psychologist away from his Boston home and broken marriage to Seattle, WA, where he fills the airwaves with advice from a local radio station. The series is from David Angell, Peter Casey and David Lee, the Emmy-winning producers of “Cheers” and executive producers and creators of “Wings.” “Frasier” is a Grub Street Production in association with Paramount Network Television. James Burrows (“Cheers”) directs.

“GETTING BY”—Cindy Williams (“Laverne & Shirley”) and Thelma Hopkins (“Family Matters,” “Bosom Buddies”) star in this comedy about two single working mothers—one divorced, one widowed, each with two children—trying to make ends meet by sharing a home in the Chicago suburbs. “Getting By” is created by William Bickley (“Family Matters,” “Step by Step”) and Michael Warren (“Family Matters,” “Step by Step”) and developed by Thomas L. Miller (“Full House,” “Perfect Strangers,” “The Hogan Family”) and Robert L. Boyett (“Full House,” “Perfect Strangers,” “The Hogan Family”). Miller, Boyett, Bickley and Warren are the executive producers of this production from Bickley/Warren Productions and Miller Boyett Productions in association with Lorimar Television.

"THE JOHN LARROQUETTE SHOW"—Four-time Emmy winner John Larroquette ("Night Court," 1985-88) returns to series television in a familiar setting: the night shift. He portrays John Hemingway, a recovering alcoholic who gets a chance to put his life back on track when he lands a job as the night manager of an urban bus station in St. Louis, MO. Don Reo ("Blossom") is the executive producer and creator. Paul Junger Witt and Tony Thomas ("The Golden Girls," "Empty Nest") and Larroquette are the executive producers of this production from Witt-Thomas Productions.

Fall Schedule—3

"MOMMIES"—One of America's hottest new comedy duos, "The Mommies" (Marilyn Kentz and Caryl Kristensen), star in this series about the realities of life, love and motherhood in the '90's. Emmy Award winners Terry Grossman and Kathy Speer ("The Golden Girls") are the executive producers and writers. Terry Hughes ("The Golden Girls") is the director of this production from Speer/Grossman Productions in association with Paramount Network Television.

"SAVED BY THE BELL: THE COLLEGE YEARS"—Mark-Paul Gosselaar (as Zack Morris), Mario Lopez (as A.C. Slater) and Dustin Diamond (as Samuel "Screech" Powers) reprise their roles from the Saturday-morning hit series "Saved by the Bell"—but they have now been graduated from Bayside High School to the big league: college. "Saved by the Bell: The College Years" is a Peter Engel Production in association with NBC Productions. Peter Engel ("California Dreams") is the executive producer; Franco Barrio ("Saved by the Bell," "California Dreams") is the producer; Elaine Aronson ("Doogie Howser, M.D.," "Night Court," "Dream On") is the writer; and Jeff Melman ("The Fresh Prince of Bel-Air," "Beverly Hills, 90210") is the director.

"THE SECOND HALF"—Standup comedian John Mendoza (Showtime special "Over Easy") stars as a dishevelled divorced father who tries to adapt to his status as a weekday bachelor and weekend father. Mendoza is the executive producer of this Castle Rock Entertainment production. Emmy winner Barnett Kellman ("Murphy Brown," "Mad About You") is co-executive producer and director. Leo Benvenuti ("The Dennis Miller Show") and Steve Rudnick ("The Dennis Miller Show") are co-executive producers. Mendoza, Benvenuti and Rudnick are the writers.

DRAMAS

"AGAINST THE GRAIN"—In this one-hour family drama, a former high-school football star puts his tight-knit family in the spotlight when he becomes the coach of the high-school football team in a small town outside Dallas, TX that worships its local football team right next to God and country. "Against the Grain" is a Lee Rich Company and Magnum Production in association with Lorimar Television. Lee Rich ("Dallas," "Knots Landing"), Bruce Sallan ("A Killing in a Small Town," "Golda") and Jeff Freilich ("Falcon Crest") are the executive producers; Michael Pavone and Dave Alan Johnson ("Nasty Boys") are the co-executive producers and writers. Steve Miner ("The Wonder Years") is the director.

"SEAQUEST DSV"—From executive producer Steven Spielberg comes this one-hour action-adventure series that explores the oceanic frontier 25 years in the future aboard the seaQuest, a 1,000-foot, Nautilus-like submarine operated by its maverick captain and creator, Captain Nathan Bridger. Former Oscar nominee Roy Scheider stars in his TV series debut. Dr. Robert Ballard, the famed deep-sea scientist-explorer who discovered the sunken Titanic, is the scientific consultant. "seaQuest DSV" (Deep Submergence Vehicle) is a co-production of Amblin Television and Universal Television. Irvin Kershner ("The Empire Strikes Back") is the director of the premiere episode.

Fall Schedule—4

NEWS

"NBC NEWS MAGAZINE" (working title)—Anchors Tom Brokaw and Katie Couric are joined by an outstanding group of NBC News correspondents as they combine the immediacy of live up-to-the-minute reporting with the broader perspective of the news magazine format to present viewers with an intimate look at today's hottest topics, telling the stories that most touch American hearts and minds. Two-time Emmy winner Jeff Zucker, former executive producer of NBC News' "Today," is the executive producer. The program is a production of NBC News.

MEDIA RELATIONS CONTACTS:

Pat Schultz, 818/840-3637
Curt Block 212-664-5754

MEDIA SERVICES CONTACT:

Kathy Tucci, 818/840-3725

Jeanette Hektoen, 212-664-2976

NBC—New York, 5/14/93

Senator SIMON. Thank you, Mr. Littlefield.
Mr. Vradenburg?

STATEMENT OF GEORGE VRADENBURG III

Mr. VRADENBURG. Good morning, Mr. Chairman, members of the subcommittee, and Senator Conrad. My name is George Vradenburg. I am executive vice president of Fox, Inc., a father of two, one of whom is in the hearing room this morning.

I wish to thank you for inviting me here this morning to testify on behalf of the Fox Broadcasting Co. and, with your permission, I would submit a summary of my written testimony.

As you know, Fox is the newest of our Nation's over-the-air television broadcasting services, programming about 15 hours a week during prime time, with an additional 19 hours of children's programming on weekdays and on Saturday mornings. For the most part, Fox's regular prime time program schedule has not been composed of programs in which violence, however that term may be defined, has played any part. There are two Fox prime-time reality programs referred to in some of the literature as violent, "America's Most Wanted" and "COPS," which I will address specifically in a moment.

First, I would like to discuss the question of violence on television more generally. This issue is, in my estimation, complex and subtle. The use of violence on television can be efficacious and it can be entertaining or it can be provocative, imitable, and dangerous; hence, the need on our part for standards and limits and, hence, the utility of ongoing and constant attention and focus, like today's hearing and like at the industry-wide August conference scheduled in Los Angeles.

We at Fox try to make sure that we do not seek to sell violence; that we do not associate violence with happiness, with glamour, with good health, and with societal approval. Rather, we seek to portray any antisocial violent act as unacceptable. We try to associate antisocial violent acts with real consequences for its victims and for its perpetrators, and we associate antisocial violence with wrongdoing, with punishment, and with pain.

Creative people who work with our company must be open to discussion, questioning, cross-examination, and criticism when they seek to use violence as a dramatic or comedic device. For our part, our goal at Fox is to select and edit our programming to reinforce the values of our society. Namely, antisocial violence acts are socially and legally unacceptable.

In order to ensure that any violent acts in our programming are used only in that context, our programming and broadcast standards staffs select and review all of our programs with the same general principles as are contained in the Statement of Principles adopted by the National Association of Broadcasters and those reflected in the Joint Standards for the Depiction of Violence in Television Programs, recently issued by ABC, CBS, and NBC, last December.

Even inside those standards, even within those standards, we at Fox, like others here, apply our guidelines very much with a thought in mind of what we would want our own children to see on TV.

Let me turn for a second to "America's Most Wanted" and "COPS." These two programs represent, in my view, the legitimate role that some depictions of violence can play in television programming. "America's Most Wanted" is a Fox television program that has been responsible for the capture of over 250 convicted felons and the recovery of over 50 missing or kidnapped persons, many of them children. Far from glamorizing violence, "America's Most Wanted" is explicitly dedicated to the prevention of violent crime, to showing violent crime as socially and legally unacceptable.

The list of awards and honors bestowed upon "America's Most Wanted" host, John Walsh, is too long to recite here, but is attached to my written testimony. As the former Attorney General William Barr says in his December 4, 1992, letter, John Walsh "has devoted his life to fighting against violent crime and for the rights of victims."

In a similar vein, the FBI has praised "America's Most Wanted" as having been "highly successful in leading to the apprehension of fugitives from justice."

Fox Broadcasting Co. has, through "America's Most Wanted" and the Fox family of affiliated stations, in cooperation for the National Center for Missing and Exploited Children, recently began issuing missing child alerts. Under this program, when a child is criminally abducted anywhere in the United States, "America's Most Wanted" immediately produces a 30-second announcement containing a profile, description, and picture of the abducted child and a report of the circumstances and place of the abduction. That announcement is distributed immediately by Fox Broadcasting to its affiliated stations in the geographic area of the abduction. Those announcements can be broadcast on air within 12 hours of the abduction, and they have already been instrumental in the recovery of more than one abducted child.

Fox would like to express its appreciation to you, Mr. Chairman, for your leadership in the passage of legislation establishing the National Center for Missing and Exploited Children and for your continuing concern and involvement in this important area, including at next Tuesday's press conference recognizing the 10th anniversary of National Missing Children's Day.

Next Tuesday night, "America's Most Wanted" will air a 1-hour special, recreating a number of child abduction cases, seeking information concerning their recovery.

This program, Mr. Chairman, "America's Most Wanted," has remarkably been decided by academic experts as one of the most violence programs on television. Yet, in my view, there are significant public interest benefits in this program which should not be forgotten as we work on this most difficult problem of violence on television.

Another Fox program, "COPS," is the ultimate in so-called reality program, as its action is all real, all immediate, no reenactment. As a real "reality" program, "COPS" hardly can be criticized for

glamorizing violence. "COPS" follows real-life law enforcement personnel as they go about their daily, dangerous job of preventing violence and apprehending those who commit violent crime. "COPS" clearly shows viewers the adverse consequences of antisocial violent behavior.

Every episode of "COPS" is carefully edited by its producers and by Fox for content considered potentially shocking and for elements such as coarse language. Moreover, each episode of "COPS" is preceded by an advisory regarding the nature of the program. "COPS," like "America's Most Wanted," has been the recipient of numerous commendations from law enforcement officials and victim support groups, and "COPS," like "America's Most Wanted," reflects Fox's efforts to portray antisocial behavior only as socially unacceptable.

In conclusion, I have not come here today to deny that television violence is a major problem and its proper use a matter of continuing ongoing and intense concern. We at Fox fully recognize the importance of the issue and accept the responsibility for establishing limits on the nature, extent, and context in which violence is presented. We do so with the clear objective of presenting violent acts in a context which strongly discourages antisocial behavior and which otherwise does not offend or do harm to our audience, particularly our child audience. While, no doubt, we have and will continue to err from time to time, we do not seek to avoid accountability.

On behalf of Fox, I pledge to continue to work with my colleagues, at this table and elsewhere in the affected industries, and with you to address this important issue, and wherever possible, to improve Fox's performance in this area of such important to our society.

Thank you very much, Mr. Chairman.

[Mr. Vradenburg submitted the following:]

PREPARED STATEMENT OF GEORGE VRADENBURG ON BEHALF OF FOX BROADCASTING CO., INC.

Good morning. My name is George Vradenburg. I am Executive Vice President of Fox, Inc. I wish to thank you for inviting me here this morning to testify on behalf of the Fox Broadcasting Company.

As you know, Fox is the newest of our nation's over-the-air television broadcasting services, programming about 15 hours a week during prime time, with an additional 19 hours of children's programming on weekdays and Saturday mornings. For the most part, Fox's regular prime time program schedule has not been composed of programs in which violence (however defined) has played a part. However, there are two Fox prime time "reality" programs referred to in the public literature as violent, "America's Most Wanted" and "Cops," which I will address specifically in a moment. But first I would like to discuss the question of violence on television more generally.

Many of the reasons for the use of violence on television are obvious, understandable and, in my view, entirely legitimate and proper. One such reason: televised violence frequently reflects actual events. Riots occur in the streets of our major cities, and local news helicopters are overhead transmitting those images into American homes. A teenager shoots her lover's wife; the public is fascinated; and three made-for-TV movies follow. Law enforcement officers effect an arrest using necessary physical force; the arrest is shown on a reality program. Much of our programming—news, reality and entertainment—reflects the society in which we live.

In fictionalized programming, violence can appropriately be used as a creative device to dramatize human emotions and behaviors—conflict and confrontation, jeopardy, and danger, revenge and retribution. The device is as old as storytelling itself—it is as essential to the story of the exodus of the Jews from Egypt as it is to last year's Academy Award winning picture "Unforgiven".

Even in the comedic form, violence can appropriately be used as a device for exaggeration and parody—important to the humor of “Home Alone” and of “The Three Stooges”.

To eliminate these appropriate uses of violence from television, then, would be to deprive us all of reportage on who we are as a people and as a society, and to disable our storytellers and our comedians from the devices they use to effectively to make us cry or laugh or to get us outraged at injustice. It would turn television into an antiseptic “A Brady Bunch” fantasy world where conflict and confrontation are absent. Television would become vacuous, irrelevant to our daily lives.

That is not to justify all uses of violence on television. Far from it. The use of violence on television, if abused, can create substantial risks to our society. The hypothesis that the televising of certain kinds of violent behavior may, in turn, affect public behaviors and attitudes is, to me, quite plausible; and repetition of violence on television, one reasonably fears, can desensitize us to violence in society.

Thus, the issue of violence on television is, in my estimation, complex and subtle. The use of violence on television can be efficacious and entertaining, or it can be provocative and dangerous. Hence the need for standards and limits, and hence the utility of ongoing and constant attention and focus, like today's hearing.

We, at Fox, try to make sure that we do not seek to sell violence, that we do not repetitively associate violence with happiness, glamour, good health, societal approbation. Rather, Fox seeks to portray any anti-social violent act as unacceptable; tries to associate anti-social violent acts with real consequences for its victims and for its perpetrators; associates anti-social violence with wrongdoing, with punishment and with pain. Creative people working with Fox must be open to discussion, questioning, cross-examination and criticism when they seek to use violence as a dramatic or comedic device. Our goal at Fox is to select and edit our programming to reinforce the values of our society: namely, anti-social violent acts are socially and legally unacceptable.

In order to assure that any violent acts in our programming are used only in that context, our programming and broadcast standards staffs select and review all of our programs with the following general principles in mind:

- The depiction of violence must be necessary to plot and character and must not be simply presented for its own sake.
- When the use of violence is essential to plot or character, Fox seeks the inclusion of program elements demonstrating its adverse consequences.
- The depiction of violence may not be gratuitous or excessive, and it may not be presented as an acceptable solution to life's problems.
- Caution should be exercised to avoid depicting unusual techniques of violence that are potentially susceptible of imitation.
- The time period for which a program is scheduled and its anticipated audience always is considered, with particular sensitivity to those time periods in which a large child audience is anticipated.

Within programming designed specifically for children, violent acts are handled with special care and with regard for the ages of the children likely to be in the audience and their ability to deal with such content. Violence is never depicted as glamorous or shown as an acceptable solution to problems. Its negative consequences are stressed. To mitigate any imitative behavior, action sequences emphasize unrealistic settings, fantasy weapons, and superhuman feats whenever possible. Potentially dangerous acts that could be replicated by a child, thereby placing that child or others in danger, are not shown. For example, we would not permit a character to smash through a window, to put a child in a box, refrigerator or bag, to inhale any gas or drug or to wrap anything around a child's neck. Fox's children's shows are based on positive values, and emphasize the negative consequences of anti-social behavior.

Our made-for-television movies are subjected to the same strict review as all of our other programs. Feature films are edited, sometimes substantially, in accordance with the same principles.

* * *

Let me now turn to “America's Most Wanted” and “COPS”. These two programs represent, in my view, the legitimate role that appropriate uses of violence can play in television programming.

“America's Most Wanted” is a Fox television program that has been responsible for the capture of over 250 convicted felons and the recovery of over 50 missing or

kidnapped persons, many of them children. Far from glamorizing violence, "America's Most Wanted" is explicitly dedicated to the prevention of violent crime, to showing violent crime as socially and legally unacceptable. The list of awards and honors bestowed upon "America's Most Wanted" host, John Walsh, is too long to recite here, but is attached to my written testimony. As Attorney General William P. Barr says in his December 4, 1992, letter, John Walsh "has devoted his life to fighting against violent crime and for the rights of victims".

Another Fox program, "COPS", is the ultimate in so-called "reality" programming, as its action is all real, all immediate—there are no reenactments.

As a real "reality" program, "COPS" hardly can be criticized for glamorizing violence. "COPS" follows real life law enforcement personnel as they go about their daily, dangerous job of preventing violence and apprehending those who commit violent crime. "COPS" clearly shows viewers the adverse consequences of anti-social violent behavior. Every episode of "COPS" is carefully edited by its producers and by Fox for content considered potentially shocking and for elements such as coarse language. Moreover, each episode of "COPS" is preceded by an advisory regarding the nature of the program. "COPS", like "America's Most Wanted", has been the recipient of numerous commendations from law enforcement officials and victim's support groups. And "COPS", like "America's Most Wanted" reflects Fox's efforts to portray anti-social behavior only as socially unacceptable.

Before closing, I would like to address one last topic: the use of MPAA-like ratings for television programs. The MPAA rating system for theatrical feature films is appropriately viewed as a successful means of informing potential movie-goers of movie content before they invest in tickets. Some have quite reasonably recommended the use of a similar ratings system in television. Fox would support an exploration of that issue, perhaps beginning at the industry conference scheduled for August 2. Personally, however, I do not believe the demonstrated utility of ratings in the theatrical film context, upon reflection, will prove to extend to television. Television viewers are not unaware of the content of most TV programs; viewers know the content of "America's Most Wanted" when they tune in, or they will after only a few moments of watching. If they believe "America's Most Wanted" to be offensive or potentially harmful to their children, they can easily switch channels (not having to pay any price for tuning in or tuning out), and they can instruct their children not to watch it. Moreover, television ratings have some potential downside. Children may be attracted to shows carrying particular "off-limit" ratings, and, as all parents know, television is much more accessible to kids than theatrical films, notwithstanding parental attempts at supervision. Thus, while Fox believes the use of voluntary ratings should be studied, quite possibly for nonseries programming or specials, I personally believe that we will conclude that television ratings will deliver little benefit, and may create additional risk (particularly to children).

In conclusion, I have not come here today to deny that televised violence is a major problem and its proper use a matter of continuing concern. We at Fox fully recognize the importance of the issue and accept the responsibility for establishing limits on the nature, extent and context in which violence is presented. We do so with the clear objective of presenting violent acts in a context which strongly discourages anti-social behavior and which otherwise does not offend or do harm to our audience, particularly our child audience. While no doubt we have and will continue to err from time to time, we do not seek to avoid accountability.

On behalf of Fox, I pledge to continue to work with my colleagues, at this table and elsewhere in the industry, and with you, to address this important issue and, wherever possible, to improve our performance in this area of such importance to our society.

Thank you very much.

BIOGRAPHY OF JOHN WALSH, HOST OF "AMERICA'S MOST WANTED"

"Look, I was victimized once and my heart was broken. I believe that you take a stand and fight back not as a vigilante, but through the system. You figure out a way to do it with some dignity and some integrity and you fight back."

Those courageous words were quoted at the White House by President George Bush on April 25, 1990. They came from one of America's most respected advocates for missing children and crime victims—and the host of Fox's hit crime fighting show, "America's Most Wanted"—John Walsh.

The President's praise of Walsh's nine year crusade came during a Rose Garden ceremony which honored the AMW host and six other individuals working to assist victims of crime. The recipients were selected from more than 200 nominations submitted by various victims assistance officials and organizations across the country.

The President also called Walsh "one of America's most unlikely new television stars."

Yet, despite the many awards and praise Walsh has received for his incredible successful work, it was not a career he anticipated. Back in the summer of 1981, Walsh was a rising hotel management consultant in Hollywood, Florida, "living the American dream." He and his wife, Reve, had a beautiful six-year-old son, Adam, the joy of their lives. They never thought crime could touch them. But it shattered that joy when Adam was abducted and later found murdered.

The Walshes turned their grief into positive energy to help missing and exploited children. Battling bureaucratic resistance and legislative nightmares, John and Reve's work led to the passage of the Missing Children Act of 1982 and the Missing Children's Assistance Act of 1984. The latter bill founded the National Center for Missing and Exploited Children, which maintains a toll-free hotline number (1-800-THE-LOST) to report a missing child or the sighting of one.

As a result of John's lobbying efforts, the FBI has created separate files on missing children and unidentified bodies in its National Crime Information Center. The FBI now enters into child abduction cases in the absence of a ransom note or evidence of interstate flight.

The incredible efforts of John and Reve have been dramatized in the 1983 NBC television movie, "Adam," which was aired three times in primetime, and a sequel, "Adam" His Song Continues," which aired in 1986. Following the telefilms a roll call of missing children has been broadcast, that has led to the recovery of 65 missing youngsters.

The Walshes also founded the Adam Walsh Child Resource Center, a non-profit organization in their son's memory, which is responsible for nationwide public education on child safety and dedicated to legislative reform. There are currently four centers throughout the country. They are located in West Palm Beach, FL, Columbia, SC, Orange County, CA, and Rochester, NY. Recently, to form a more powerful voice for children, the Centers merged with the National Center for Missing and Exploited Children. Walsh serves on the boards of both the national and the Florida centers.

Walsh has become a familiar figure to millions of Americans through numerous appearances on nationally-televised programs including "Good Morning, America", "Today", "20/20", "Hour Magazine", "Donahue", "ONE on ONE", "Geraldo", "Larry King Live", "The MacNeil-Lehrer News Hour", "The Oprah Winfrey Show", "The Joan Rivers Show", and "Nightline". He appeared on the award-acclaimed HBO documentary "How To Raise a Street Smart Child," which has won several major awards for programming excellence, including the National Mental Health Association's 1987 "Best Show" Award. In January, 1990, he served as host of "Radio For A Drug-Free Cleveland," a three-hour morning drive-time simulcast on 17 stations which was honored by the International Radio Festival.

Among the awards and commendations bestowed upon John Walsh for his efforts on behalf of the nations children are:

- 1988 Man of the Year, U.S. Marshals Service;
- Named "Father of the Year", 1985, in the category of "Everyman's Father" by the National Father's Day Committee;
- Included in CBS's American Portrait Series as one of 160 Americans who have made outstanding contributions throughout the history of the United States;
- Awarded the American Legions' 1986 National Commander's Public Relations Award for public service in preserving the American Way of Life;
- Awarded the Veterans of Foreign Wars' National Citizenship Award;
- Named by Esquire Magazine as a young American who is changing America;
- Received the National PTA's Lifetime Achievement Award;
- Named the 1982 National District Attorney's Association "Man of the Year";
- Named the 1990 New York City Westchester-Putnam Shields "Man of the Year";
- Awarded the 1990 Louis E. Peters Memorial Service Award by the FBI and the Society of Former Special Agents of the FBI, Inc.;
- Named the 1992 Center for Criminal Justice Studies "Man of the Year";
- Awarded the Ellis Island Medal of Honor, 1992;
- Awarded the National Organization for Victims Assistance Donald E. Santarelli Award for outstanding service in the public policy area 1992;

- Named the 1992 Association of Special Operations Professionals "Man of the Year";
- Named the 1992 Government Communicator of the Year by the Government Communicators Association;
- Awarded the 1992 National Victim Center's Media Award during National Victims' Rights week for sensitivity and fairness in reporting victims' issues;
- Recognized as the only private citizen to receive a Special Recognition Award for law enforcement by the Attorney General of the United States of America, 1992;
- Awarded the 1992 United States Marshal Strom Thurmond Law Enforcement Patriot Award.
- Recognized by members of congress, numerous governors, mayors and civic organizations for his efforts on behalf of crime and missing and exploited children.

ADAM WALSH CHILD RESOURCE CENTER, INC.,
West Palm Beach, FL, April 26, 1989.

Mr. GERALD C. ODLAND,
Deputy Executive Director,
Association for Childhood Education, Int'l.,
Wheaton, MD.

DEAR MR. ODLAND: This is just a quick note to thank you, your President Dr. Verl Short, Carol Vukelich, awards committee chair, the rest of your board and staff who were kind enough to make me the 1989 "Friends of Children Award" recipient.

This was a very special honor for me and I regret that I was unable to accept it in person. When you honor me as founder of the Adam Walsh Child Resource Center, you also, of course, honor those people who carry on the day to day functions of the Center. In that regard, I think perhaps that it was especially appropriate that our National Executive Director, Denny Abbott, was able to attend and to accept the award on my behalf.

Again, thank you so very much for this honor and especially for the kind words inscribed on the plaque. Also, congratulations for the very fine work done by your organization and shall look forward to working with you in the years ahead.

Most Sincerely,

(Signed) John Walsh

(Typed) JOHN WALSH.

[EDITOR'S NOTE: A copy of the inscribed plaque could not be reproduced and was retained in committee files.]

U.S. DEPARTMENT OF JUSTICE,
FEDERAL BUREAU OF INVESTIGATION,
San Francisco, CA, October 8, 1991.

JOHN WALSH,
Fox Television Stations,
Washington, DC.

DEAR JOHN: Please accept my sincere congratulations to you as the recipient of the Louis E. Peters Memorial Service Award. You continue to perform a tremendous service to the public with your work to locate missing children. All of us in the Federal Bureau of Investigation are deeply grateful for your efforts and also for "America's Most Wanted", which has been highly successful in leading to the apprehension of fugitives from justice.

At a time when so many are reluctant to "get involved", it is great to see someone set an example by doing the right thing for all the right reasons. We're grateful for what you are doing but we're even more grateful for the kind of person you are.

I look forward to seeing you again the next time you get to the Bay Area. I keep up with what you're doing in my periodic conversations with Jane.

Best regards,

(Signed) Dick

(Typed) RICHARD W. HELD,
Special Agent in Charge.

[EDITOR'S NOTE: A copy of the award could not be reproduced and was retained in committee files.]

OFFICE OF THE ATTORNEY GENERAL,
Washington, DC, December 4, 1992.

Mr. JOHN WALSH,
Host, "America's Most Wanted,"
Washington, DC.

DEAR JOHN: On December 14, 1992, in Washington, D.C., I will present the 41st Annual Attorney General's Awards to persons who exemplify the bravery, commitment and professionalism of federal law enforcement officials. For the first time, a special award will be given to a person who, although not an employee of the Department of Justice, has devoted his life to fighting against violent crime and fighting for the rights of victims.

It is my distinct honor and privilege to inform you that this Special Recognition Award will be presented to you. I hope that you will be able to attend for me to personally present this Award to you. The Awards Ceremony will be held in the Andrew W. Mellon Auditorium located on Constitution Avenue between 12th and 14th Streets, N.W. at 2 p.m. It will be preceded by a reception for award recipients from 1:00 to 1:45 p.m. in the Main Conference Room of the Auditorium. You are certainly welcome to bring family members or other special guests to the ceremony.

Cheri Nolan, Deputy Director of the Office of Liaison Services, will soon be contacting you to offer any assistance you might need. I look forward to seeing you on the 14th.

Sincerely,

(Signed) Bill

(Typed) WILLIAM P. BARR,
Attorney General.

[EDITOR'S NOTE: A copy of the award could not be reproduced and was retained in committee files.]

GRAND JURY ASSOCIATION OF FLORIDA, INC.,
Miami, FL, May 26, 1989.

Mr. JOHN WALSH,
Adam Walsh Child Resource Center, Inc.,
West Palm Beach, FL.

DEAR MR. WALSH: The Grand Jury Association of Florida, Inc., has enjoyed a proud and honored tradition of service to the community. We have worked diligently for the protection of the public welfare.

Our 42 year history has been dedicated to the preservation and effectiveness of the Grand Jury System in the State of Florida. In addition, we are committed to encouraging public concern for honesty and efficiency in government, for the prevention and suppression of crime, for the quality of justice and due process of law.

It is my sincere belief, as well as the belief of our Officers and Directors, that these stated objectives are most compatible with our personal values as well as those of the organizations and programs you support. Through your efforts in the Adam Walsh Child Resource Center, Inc., and "America's Most Wanted" you have generated and encouraged public involvement in the criminal justice system. Through your outstanding personal leadership and untiring efforts, programs now exist that help apprehend criminals at large and locate missing children.

Each year the Grand Jury Association of Florida, Inc., holds an anniversary dinner to spotlight the endeavors of an outstanding citizen in our community who best exemplifies these qualities of leadership and dedication. Some of our most recent honorees have been: Governor Bob Graham, State Attorney Richard Gerstein and Janet Reno, Police Chief Kenneth Harms, Sheriff Bobby Jones, Justice Joseph Boyd, United States District Judge Stanley Marcus, Circuit Court Judge Gerald Wetherington and Ellen Mophonios.

It is for the above stated reasons that we request you accept our invitation to be the recipient of our 1989 Outstanding Citizen of the Year Award. This honor will be presented to you at the 42nd Anniversary Dinner which will be held on Thursday, October 26, 1989, at the Miami Airport Hilton and Marina Hotel. The evening's events begin at 6:30 PM.

We eagerly look forward to your acceptance of this special award.

Very cordially,

(Signed) Nat Naccarato

(Typed) NAT NACCARATO,
President, *Grand Jury Assn. of Florida, Inc.*

FLORIDA COUNCIL ON CRIME AND DELINQUENCY,
Ocala, FL, June 19, 1989.

Mr. JOHN WALSH,
c/o Adam Walsh Center,
West Palm Beach, FL.

DEAR MR. WALSH: Congratulations! You have been selected as recipient of the Florida Council on Crime and Delinquency Distinguished Service Award in the Criminal Justice category. This award will be presented to you at the FCCD Annual Training Institute Awards Banquet to be held Thursday, July 27, 1989, beginning at 7:00 PM at the Orlando Hyatt Hotel located at the intersection of I-4 and State Road 192, just west of Kissimmee, FL.

Hotel accommodations/reservations will be provided for you for the evening of July 27, 1989, at the Orlando Hyatt for single or double occupancy rate, depending on your desire. I will respectfully request to know if you plan to bring your spouse with you to the Banquet and also if you will be planning to spend the night at the hotel. Additionally, I will need to know if you will need transportation from your place of residence to Orlando, FL, or if assistance is necessary to travel from your residence to the Orlando Hyatt Hotel.

I will arrange special seating for you and your spouse, if you desire, at a special reserved table at the Awards Banquet. Your presence at this function would be greatly appreciated for your acceptance of the Distinguished Service Award that evening.

Please contact my office upon receipt of this letter to make final arrangements for appropriate accommodations.

Once again, I congratulate you on your selection to receive the Distinguished Service Award. I am looking forward to hearing from you and meeting with you on July 27, 1989, in Orlando at the Hyatt Hotel.

Sincerely,

(Signed) Karel E. Yedlicka, Jr.

(Typed) KAREL E. YEDLICKA, Jr.,
FCCD State Awards Chairman.

Senator SIMON. We thank you.

You mentioned these last two programs that do have some violence, but, yet, serve a constructive cause. What time are they on?

Mr. VRADENBURG. "America's Most Wanted" is on at 8 on Friday night, and "COPS" is on at 8 on Saturday night.

Senator SIMON. These are hours when you have a large children's audience. I just mention that as one of the things we have to be sensitive to.

Let me add one point I should have mentioned earlier. When I talk about violence on television, I am not talking about the news programs. I think some of the news programs do contain too much violence, but there is a dramatic difference between news violence

from Bosnia, for example, and entertainment violence that frequently glamorizes violence.

Let me ask all of you. You have heard Tom Shales, as he has been quoted here as describing May as Murder Month. In view of what has been said here, are we going to get a repeat of May in the future as Murder Month, or is that now going to be history, that type of program?

Mr. STRINGER. Violence is never going to go entirely away.

Senator SIMON. No, and we are not suggesting that, as you know.

Mr. STRINGER. All tragedy ends in death. I think Lord Byron said that.

I think Tom Shales had it right, just as your methodology is right, and that the difference is, really, the quality assessment of the programming that we do. I mean, if I was to put King Lear on the air with Cornwall taking out Gloucester's eye and stamping on it and saying, "Out, vile jelly," the difference between yesterday and today would be, in today's movies, you would see the eye being taken out. On Shakespeare's stage, it was simulated. The most very violent—King Lear is very violent. Richard the III is very violent. Euripides Medea is very violent. But the difference is a qualitative one.

And I think the hardest part we are all facing, as networks and cable movies as well, is that the sheer volume of channels is making easy choices and trashy choices more obvious. There is an assumption in the panel that we actually do very well with violent movies. The most highly rated movie of last year was "Sara Plain and Tall," which was a quiet, rural drama about the Midwest. They are just harder to find. We are having difficulty with 332 channels, and we are well on the way to a 500-channel universe. If that isn't an invitation to mediocrity, I don't know what is.

So the question of Shales is exactly right. We have got to do better. Now, we are doing better. The miniseries that we did, the murder miniseries we did this week, which was not especially good and didn't get especially large audiences, we did eliminate the body count in it. There were three people killed, but you didn't see them being killed. We saw the shots fired. It was a reality show based on true life drama. It wasn't very good either.

But I would settle for 15 "Sara Plain and Talls," but the community is trying to fill these channels and channels and channels, and the stuff that we get inhouse, which we are censoring more and more because we ought to, because of the pressure you have applied. It is not very easy to find quality in the vast number of channels in front of us.

Doing better is very important. I think next May, you will see fewer. This May, you had fewer. I know it sounds like mayhem was all through May, but I have got a list. We ran 10 movies. Two of them were violent. The rest were not. But I am not proud of the violent ones, and I am not proud sometimes of the quality of writing and the quality of producing. That is a lot of pressure we have to put on the community and a lot of work coming back.

But I don't think we disagree with the basic premise that it is either causal and so forth. I mean, I should also point out that the dullest television in the world was on Yugoslavian television for the last 10 years, and it didn't get in the way of everybody killing each

other. So it is whatever we are doing, we have just got to do it better and more thoughtfully and more reflectively. It is going to be hard, but I think the message is clear.

Mr. LITTLEFIELD. Senator, I would also just like to add that—

Senator SIMON. Yes; if I can just comment. Mr. Stringer, I gather from you, your answer to my question is, number one, we have a problem with cable, and there is no question about that. They are up next here.

Mr. STRINGER. I didn't separate us.

Senator SIMON. No, I understand, but you, by implication, suggest that and that probably we are going to do better next May.

Mr. STRINGER. No; definitely, we will be doing better.

Senator SIMON. Definitely do better. All right, I like that answer better.

Mr. Littlefield?

Mr. LITTLEFIELD. Yes; Senator, I agree. We will also do better at NBC next May.

I would also point out that our highest-rated movie for this May was "Fried Green Tomatoes," the theatrical film, which I think is an outstanding quality film.

When we add a 3-hour Bob Hope Special, when we add three hours of the Academy of Country Music Awards, and, of course, the "Seinfeld" finale, and "Cheers: Last Call," these were the greatest success stories for NBC in the May sweep, but we will redouble our efforts for future sweeps periods in looking at the violence content of our programming.

Senator SIMON. Mr. Murphy?

Mr. MURPHY. Well, I would like to comment about the movies we had or some of the specials. You know, there has been some comment about "Murder in the Heartland," which we showed, a mini-series. Frankly, it was an economic disaster. All the advertisers left the show because it had the violence in it. It didn't get particularly good ratings.

Senator SIMON. I am glad to hear both, I might add.

Mr. MURPHY. I mean, we tried to do the best job we could on it. We thought it was a good idea, obviously, at the time. But I would certainly hope that by next May that we would have less violence in our May sweeps.

Senator SIMON. Mr. Vradenburg?

Mr. VRADENBURG. Mr. Chairman, we don't have the same kind genre yet, as the three networks. We do not have a made-for-TV movie night or movie night. We are going to start one in June with such shows as "Beethoven," "Mr. Baseball," and "Babe" starring John Goodman, and, as it had been indicated by this panel, it sounds as if the marketplace may be a great regulator in the fact both advertisers and the audience are getting turned off this material. You will be able to see how we perform next May, and I am confident that we will perform well.

Senator SIMON. You saw the promotions earlier, and I am not asking for any definite commitment here, though I wouldn't be opposed to that. But what about the idea of not having any of these violent promotions between the hours of 7 to 9, when children are so heavily watching? Any reaction to that kind of an idea? Any of you?

Mr. LITTLEFIELD. Well, it is not uncommon for us to do different types of promotional pitches to the audience for our product, and I certainly think that, in the afternoon programming, such as sports programming on the weekend, we can have a promotion that is designed specifically at a youth audience, so that it does not have depictions of violence; that we will change our formats for promotion for afternoon programming, sports programming, as well as for early evening programming, and that is something that we are certainly capable of doing, and we will.

Senator SIMON. Any reaction from the others? Mr. Stringer?

Mr. STRINGER. Yes; I think we are doing the same. There was a theory that the point about promotion was to let people know what was in the movie and that it would guide the parents away from the movie, but the reality is parental guidance is less forceful than it used to be, as we all know. So that, I think it is, therefore, incumbent on us to change the nature of the programming in different time periods, and we are already beginning to do that.

Senator SIMON. Mr. Murphy?

Mr. MURPHY. We have one show on the new schedule which is on Thursday night, "Missing Persons," which is a cop-oriented show, but it is designed, of course, to solve problems of missing people. We don't consider it a serious violence situation.

In a show like that which is designed for adult viewing because it is opposite a lot of comedies on the other networks, it is called counterprogramming. We would consider that a place where we could put adult promotional spots. But, in the future, we are going to use parental advisories on our particular movies that have any violence in them, and we will also put in any of the spots that we have that are promoting adult shows.

Senator SIMON. Mr. Vradenburg?

Mr. VRADENBURG. Mr. Chairman, we have a much shorter program schedule than the other three networks and less flexibility. Having said that, our program standards staff reviews all of our promotional announcements for both violent and sexual content and schedules them accordingly, usually after 9 o'clock.

I would also say, with respect to shows like "America's Most Wanted" and "COPS," particularly as "America's Most Wanted," we do promote that show in earlier hours in part because we are trying to maximize the number of call-ins. This is a show, after all, that, in fact, we know the audience very well. We get 2,000 calls a week giving us tips on where a convicted felon or fugitive can be located and with possible leads. So this is a show that we do promote in a number of day parts. Having said that, the content of that promotional announcement does not typically depict any violence.

Senator SIMON. Finally, all of you heard the suggestion by Congressman Markey, one suggestion on the kind of rating and ability to eliminate that and the other suggestion by Senator Dorgan that the FCC keep a score card and then report on that score card as well as the advertisers on that, who advertises on that, I would be interested in your reaction to both ideas.

Mr. Murphy?

Mr. MURPHY. Well, I think that Congressman Markey's idea is very interesting, and I think if we have a rating system, of course,

it should be privately controlled. It should not be one that is ordered by the Federal Government, and you would have to have a rating system before you would have any need for that chip he talks about. But the idea of the electronic chip, I think, is a fascinating idea which deserves a lot of attention. We would be very interested in seeing whether something like that could be possible because I think it would make a big difference.

As far as the one—was it Senator Conrad you said?

Senator SIMON. Senator Dorgan.

Mr. MURPHY. As far as Senator Dorgan mentioned, I am not so sure I would be interested from what I heard in some sort of outside organization having a score card on us. I would like to think that we could handle our own problems responsibly.

Senator SIMON. Mr. Stringer?

Mr. STRINGER. I think they are both worth investigating. There are a couple of obvious flaws that ought to be worth notice, and that is that those parents of the latchkey kids who allow their latchkey kids to sit at home are not going to be there to program that micro chip. The tougher element of society, the sociopathic element is more obvious. They are not going to be sitting there with their parents putting a chip in there. It is not going to solve that problem. I am not against it, but responsible parents—most people in this room's children are not going to be serial killers, are not going to be sociopaths, because they are going to take care of their children, and, indeed, they will program those chips.

But if you think about the underprivileged and the poor and the distressed and so forth, there is no one at home to do something which is fairly complicated. I mean, most people can't program their own VCR's, much less go through 500 channels and pick out the violent shows. So it has a basic flaw. It won't solve the problem. It might help, but it doesn't aim at the most violent part of society. So, yes, I am for it, but I think there is a flaw.

Similarly, on the body count, any quantitative assessment of theater or movies or any kind of creative endeavor is a difficult one. If you are doing a film about the Civil War, there will be a very high body count, but it is an historical miniseries. Similarly, the kind of violence is more difficult to rate than the amount of violence. I think the problem in recent years for all of us has been starting with the movies because they have the hardest job, but they have endeavored to be more graphic, and we have, in some ways, followed them. The more and more graphic, the depiction of sex, the technical ability to portray violence, the close-ups, the "Terminators" and so forth have more and more disgusting violence, but the body count may not be so high.

So it is a difficult thing to balance, one versus the other. I think it is like everything. Any kind of gauge, it is worth considering, but nothing is very easy in this process. As I say, I prefer your approach, getting us altogether and forcing in Hollywood a kind of consciousness-raising.

I put on a show that I am not very proud of, some years ago, in which a little girl used the word "suck." It was about her uncle. And afterwards, I got called by the producer of that who said, "Thank you for letting that on." I said, "Actually, why are you thanking me for letting it on?" He said, "Well, it is a signal to the

production community in Hollywood that you mean business that you are going to expand the envelope and give creative programmers their head," and I said, "It was disgusting, and your viewers are going away. And if that is the kind of execution that you are responsible for, we will all be out of business."

But there is a sort of mythology out there that, if you keep pushing the envelope—and that is the reason why from the 1950's to the 1960's to the 1970's and to the 1980's that violence is more gratuitous and graphic and technically more adept, and that is the clock that has to be turned back, and we have started to drop the body count.

For instance, the blood packs that you see in movies where a bullet is hit and, realistically, blood spurts halfway across the room, I mean, that is a movie feature that is designed to bring the young audiences in. Yes, they can be shown on cable, but we are 30 people in standards and practices who would cut out all of those elements.

I don't mean to waffle on, but it is a slightly complicated issue. So I am for the chip, but some of it won't solve the problems because they are rather more complicated. In the end, it is up to the people who put the programs on the air, people like us to do something about the nature of the programming to make it either more wholesome or more thoughtful or more artistic.

Senator SIMON. Mr. Littlefield?

Mr. LITTLEFIELD. Yes; we believe on a voluntary basis we can be responsible broadcasters.

I think, as Mr. Stringer was just saying, there are many, many problems with some of the proposed plans. I know if my 8-year-old son sees that a feature film is PG or if it is even R, that is far more interesting to him than a General Audience. It is because you are not supposed to be there, you are not supposed to touch, you are not supposed to be looking. It makes it all the more intriguing. And that is why I believe that we can come to broadcasting with a renewed sense of the problem with violence and television, and I feel we can be far more effective if we do this on a volunteer basis.

Senator SIMON. Mr. Vradenburg?

Mr. VRADENBURG. I am, too, intrigued by the notion of a chip in the television set. In many of the high ends that is today, that capability exists to be able to block out any particular program or particular channel.

With respect to the ratings, I think that there is an enormous attraction, theoretically, to anything that gives more information to parents in order to be able to permit them to supervise their children. I do not think, however, in this instance, that ratings will prove to be of such a benefit, and I do think they carry some additional risks. The benefits, I think, are not there because I think most parents do know what is on television.

I think when they tune into a TV series, like "America's Most Wanted," they know the nature of that program. They don't need a rating with respect to that program. They can make their own judgment, and many parents will make quite different judgments as to whether their children ought to be watching that program and it will very often depend on the circumstance. Is the parent going to be there to watch with the child or not? So I do think that

parents are going to make a lot of different choices and I don't think they need additional information because I do think they know most of the time the nature of the programming that is on.

I do share Mr. Littlefield's concern that, in fact, ratings can be attractive as well, and therefore when something is, like, rated with a V or rated with a V-100, in fact, if they can't get it on their own TV set, they are going to find a neighbor whose parents have made a different choice and they are going to go try and find out that show to see what it is that their parents are trying to prevent them from watching. TV is very accessible.

Finally, I think there are real definition problems. I take it that Congressman Markey was suggesting a single rating, either V or no V. And if you look at Dr. Gerbner's studies of what the violence programming in this society is, over 50 percent of the sitcoms he could classify as violent.

He would classify as the most violent genre in the week-long sample that he studied "TV's Funniest Commercials" and the "25th Anniversary of Rowan and Martin's Laugh-In." That is what he would characterize on his study as the most violent genre on television in the sample that he studied.

I think, as a consequence, when you look at a rating system, whether it is strictly a V-rating system or whether it is a V-0 to V-100, which Dr. Centerwall was talking about, even in that instance, V-100, "Rowan and Martin's Laugh-In" is going to get a V-100 rating. I think you have taken away some of the context. You have taken away some of the subtlety, and in the end I do think you are taking away some of the criteria that I think parents would judge, based upon their knowledge and their judgment about what television shows are as to what their children would watch.

So I think there is a little benefit, and I think there are some risks in this, as well as enormous definitional problems.

Senator SIMON. Senator Metzenbaum.

Senator METZENBAUM. I don't know that I have any questions, Mr. Chairman, but I will say this. As I sit here, I realize the difficult challenge that these gentlemen face in the networks that they represent because no one of them alone can forego the audience that has an interest in the violence.

But I also am aware of the fact that there is a pretty good sense in the Congress that something needs to be done. I remember when we used to have in this country a Wagner Act, which was very much pro-labor labor legislation. Then the pendulum swung the other way. We got the Landrum-Griffin Act and the Taft-Hartley Act. Pendulums do swing in the congressional picture and with the American people.

I remember when cable was here for years and wanted no effort on the part of Congress to do anything about it, and we passed a cable law, not nearly as much as I would have liked to have passed. But I know that I talked with a cable operator in Cleveland just the other day who was crying to me and telling me what a terrible thing it was and it may totally destroy his business. I said, where were you when we were trying enact legislation? He wasn't there and he admitted he wasn't there, and they thought they didn't have to do anything.

Each of you on your own can't do very much, but you have until December 1 to do something. I can only tell you this, that if you don't do something, I think there is enough sentiment here in the Congress that we will find a way without affecting the so-called freedom of the airwaves. I respect the freedom of the airwaves, and nobody has fought for the Bill of Rights and the constitutional liberties in this Congress more than this Senator has or I have, and we respect that. But there are ways within the Bill of Rights, I think, that limitations and denials can be provided both with respect to free air time—that is, the time that the networks you are involved in—and cable as well. You have not many months to come up with some conclusions.

Certainly, what you are doing at this point—I guess they are called the sweeps, the May sweeps—certainly is depressing. It has gone backward, not forward. I would just say to you in as strong terms as I know how, if you don't come up with an answer, if you don't do something positive—Mr. Vradenburg, you seem to think that everything is OK, as I understand your comments. I can tell you everything isn't OK. I tell you that, as a grandparent, I am not willing to accept your concept that my grandchildren are going to go over to somebody else's home.

We will find a way to come down heavily on the television industry if you don't do that which is necessary. We are concerned. The American people are concerned. We would have public opinion on our side.

I will just tell you we gave you a 3-year exemption from the anti-trust laws. Use it. Maybe you have to have your own body that decides what is too violent and what isn't, but if you just do nothing and if you just tell us you are doing something while giving us all the violence that is being portrayed in the May sweeps and on television every night and every day, we are going to come down harder on you than you would like us to do.

We don't want to do that. I am not saying that in a threatening manner. I am saying that to you—

[Laughter.]

Senator METZENBAUM. I am saying that to you very realistically. I think the leadership that you have done with respect to literacy in ABC is fantastic, tremendously good, and each of the others, you do very great work. But I tell you that you have a problem and it is a growing cancer, and if you don't do something yourself, then Congress is going to do something. We don't want to do something. I think Markey's proposal would probably gain fast acceptance. I think some of us would even like to go considerably further than that.

So I just say to you I don't have any questions. You have got the man who has led this whole battle in the Congress coming out to California in August. We are looking forward to not more talk-talk. We are looking forward to an action program and a realization that something is going to be done about violence on television.

Thank you, Mr. Chairman.

Senator SIMON. Thank you, Senator Metzenbaum.

Senator Feinstein?

Senator FEINSTEIN. Thank you, Mr. Chairman.

You know, I was just thinking, because I happen to agree with Senator Metzenbaum—and maybe Senator Simon here is the good guy and some of us have to be the bad guys, but this has been going on for years, gentlemen, for years, and nobody takes it seriously.

Let me ask CBS a question. For example, are you going to show "Silence of the Lambs" this fall?

Mr. STRINGER. If we did, we would heavily edit it, which nobody else would do.

Senator FEINSTEIN. That is sort of an answer to my question, in a way, or to my dilemma.

Mr. STRINGER. Well, except—I will finish in two parts. I think the chance is very unlikely. We have stopped our purchase of many motion pictures now. We reject many, many motion pictures.

I mean, "Silence of the Lambs" actually moves into a different category again because most critics perceive that movie—it was nominated an Oscar winner—as an artistic movie. We will take that on the air and we will eliminate the graphic scenes from it through our standards and practices. By the way, the Hollywood artistic community will say, you shouldn't do that, but we will do that.

Now, if you go one step further, should I take that particular movie off the air even though it is an Oscar winner, even though it was considered to be an extraordinarily thoughtful and well-acted and well-performed and well-written movie? That does seem to me to wander toward censorship a little bit.

I think Senator Simon has succeeded, and I will say one thing in our defense, because we haven't yet, and that is that if indeed 10,000 murders have been caused by television, I should also point out that I come from a country, was born and raised in a country, that puts a lot of American movies on and has more graphic violence within its live drama on the BBC than anywhere else and there is a lot less violence in the United Kingdom than there is here. There are 200 million guns in America and 66 billion handguns in America, and that has a lot to do with violence.

We are not helping violence. We are encouraging, maybe stimulating it, maybe shaping it, but we are not the sole cause of violence. And if the frustration of this society only takes it out on us, the networks, and even eventually the cable industry, that alone is not going to solve violence in America. I know that sounds like a truism, but I thought it ought to be said.

Senator FEINSTEIN. Let me respond, if I may, Mr. Stringer. I am looking at a statistic here in front of me that says 1992 set the record for violence in children's shows, with 32 violent acts per hour, as compared with 6 acts per hour in prime time. So it would indicate that up to this point things are not getting better; they are getting worse. Times-Mirror poll: 80 percent of the people of this Nation believe that violence on television is harmful to our society.

So when you speak of extending the envelope, I can't help but think why doesn't someone try to really extend the envelope with respect to some of the better things of humankind, rather than the worst things of humankind.

Mr. STRINGER. I think that standard, you have set here. I think that has been achieved. I know you have a right to be suspicious

and skeptical, given the statistics. I don't know the particular statistic, but I think the message is clear. I think we understand that, and I think you will see more of it. I mean, heaven forbid that you saw all of the May television movies or had the time to, but there were some thoughtful, reflective movies, and there will be more. I think the message has gotten out and I think this summer is going to be a shock for large numbers of all of us who make and put on the air television movies. I think you will change the course of television.

I don't disagree with you. If we have waited too long, well, maybe we needed the pressure. I can apologize for the past, but the present and the future will speak for themselves.

Senator FEINSTEIN. I certainly hope that is right because I think the industry has to take another look and has to move, and I think it is one thing to be here and say everything is fine and we are doing all of these things. And I must say, I took a look at the NBC and the ABC schedules and I think these are really positive changes. There is no question about that.

But my concern is that anybody that is critical, you are going to say wants to be a censor, and that isn't true. There are many of us out there that are now seeing the dividends of all of this on the streets of our cities, and you cannot tell me that a low-maturity person's ability to commit some of these acts isn't reinforced by what they see on television.

I have just seen it happen too many times during my days as mayor, too many times in society as a whole, not to believe that we are not better off if we come to harness some of our worst impulses and begin to build some of our better ones.

So I am going to be watching. I am going to look for "Silence of the Lambs," because I suspect I am going to punch my tube one day and there it is going to come up in all of its gore—

Mr. STRINGER. Not all of it. Not all, I promise you.

Senator FEINSTEIN [continuing]. And that is just one example. So I mean, your sincerity to the Chairman here, I am going to measure by what I see when I punch that dial at night.

I want to say thank you, Mr. Chairman. You are a very nice man. [Laughter.]

Mr. STRINGER. I hope my wife agrees with you, Senator Feinstein.

We thank you.

Let me just add a final comment. Mr. Stringer mentioned that television violence is not the sole cause of violence in our society. No one here suggests this. You are looking at three Senators who are trying to discourage the proliferation of weapons in our society.

But I think the industry has to recognize that it is a cause of violence in our society; that violence in our society is made up of a mosaic and part of that mosaic is violence on television. When you say that you have had more discussions this past year on violence on television than in the previous 22 years in the business, that frankly encourages me. I think the message has to be to you today this is a serious problem in the minds of those of us in Congress. I think Senator Metzenbaum summed it up very well.

We appreciate your being here. Thank you very much.

Senator SIMON. Our final panel is made up of Mr. Frank J. Biondi, Jr., president and CEO of Viacom International; David Kenin, executive vice president for USA Networks; and Scott Sassa, president of Turner Entertainment Group of Turner Broadcasting.

Senator METZENBAUM. Mr. Chairman?

Senator SIMON. Senator Metzenbaum?

Senator METZENBAUM. I must excuse myself because I have an appointment at 12:30, but I just want to say to the cable industry, to just sort of reemphasize that which I said to the broadcast industry, and that is help us, help us by solving this problem rather than creating a situation where we have to solve it ourselves by some mandatory measure. So, please, forgive me and I don't mean to be rude to these gentlemen.

Senator SIMON. We thank you very much for being here. Unless there is a preference of the three of you, I will call upon you in the order that I mentioned.

Mr. Biondi?

PANEL CONSISTING OF FRANK J. BIONDI, JR., PRESIDENT AND CHIEF EXECUTIVE OFFICER, VIACOM INTERNATIONAL, INC.; DAVID KENIN, EXECUTIVE VICE PRESIDENT, PROGRAMMING, USA NETWORKS; AND SCOTT SASSA, PRESIDENT, TURNER ENTERTAINMENT GROUP, TURNER BROADCASTING SYSTEM, INC.

STATEMENT OF FRANK J. BIONDI, JR.

Mr. BIONDI. Thank you, Mr. Chairman. Good morning. Good morning to the members of the subcommittee. My name is Frank Biondi and I am president and chief executive officer of Viacom International. I appreciate this opportunity to share my views about the very important issue of violence on television.

Viacom is a highly diversified entertainment and media company. We own radio stations and television stations, and we produce for network and first-run commercial television. We operate cable systems, including one in Senator Feinstein's hometown of San Francisco, but we are probably best known for our cable networks, MTV, Nickelodeon, VH-1. We have interests in Lifetime and Comedy Central, and we also operate Showtime, The Movie Channel, and FLIX.

If I may, with the understanding that my formal remarks will be entered into the record, I would like to digress in the interest of not replicating—

Senator SIMON. We will enter your full statements in the record.

Mr. BIONDI [continuing]. Much of the eloquent and somewhat informed testimony that we have heard this morning about the relationship between violence on TV and society and the programmers' and networks' efforts to deal with it responsibly, as well as dealing with the creative and first amendment issues that naturally come to the issue on the table.

The formal testimony really outlines our substantial efforts on our networks really to deal with content, as well as to illustrate many of the substantive, prosocial programming elements that are in our networks.

But I would like to point out what I believe are a few differences. They might even be material differences in consideration of how we deal with our content and our efforts to inform the viewer of the contents. We have never advocated that our networks are all television for all people. They are, by their nature, in terms of distribution over cable and the way in which the consumer has to access them, particularly the premium television networks, limited in their appeal and distribution. The very names, Nickelodeon and MTV, almost characterize the content of the networks as targeted and niche networks.

It would probably please you to know that on our premium networks, we have for well over a decade employed not only ratings. The MPA rating system appears in front of all of the feature films. We do not buy X-rated or NC-17 features as a matter of policy and contract, but we also have substantial program advisories that appear in front of movies. Our guides, which are not as widely distributed as we would like, have information about content pertaining to sexual content, language, violence, adult material. So it would be somewhat insincere and disingenuous of me to tell you that we have anything but support for the wide distribution and dissemination of description of program and content.

Very much is in the same sense of financial disclosure. I think disclosure is the most important element available to the consumer, and sunshine, if you want to characterize it as that. It is a very important element of the conversation this morning and we are fully supportive of it.

The idea that Representative Markey put forth, I was both surprised and pleased to hear him say, and I hope this pleases you to know that, in fact, the technology that he is talking about is not only practical, but it will be introduced this fall by a private company called Star Sight, which is in Fremont, CA, which, in effect, represents a patented technology to show on-screen TV Guide 7 days in advance, customized to your local cable system or, for that matter, your local community if it is coming over the air which is available. It will be a subscription product that enables the consumer to do a variety of things, interrogating the grid of programming. It gives full program descriptions. It, in fact, can give ratings information where it is in the system.

If we were to put in ratings such as Representative Markey were to describe, we would, in fact, have to create a rating system that everybody agreed on, but it could then sort, as it can now, by program category. The system can sort by children's programming, by sports, however you want to identify and code the programming, and you can, in fact, with some modest reprogramming, block out whether it is two features in the set or features in the micro chip which, in fact, accurately are described as an adjunct to the closed-captioning chip. That will be available in the fall. We will introduce it in the system in Castro Valley, CA. It will be prototyped. It will probably be commercial in 1994.

We have great hopes for it as a consumer delivery system, both of information, but I think, as Representative Markey points out, it could be used quite nicely to perform blocking, as well as segregation of programming materials on the set.

Finally, I think we are here to try and help you in your efforts in working with our colleagues in the industry to try and deal with this issue as creatively and responsibly as we can.

I will stop there and be happy to take your questions.

[The prepared statement of Mr. Biondi follows:]

PREPARED STATEMENT OF FRANK J. BIONDI, JR., ON BEHALF OF VIACOM INTERNATIONAL, INC.

Good morning Mr. Chairman and members of the Subcommittee. My name is Frank Biondi and I am President and Chief Executive Officer of Viacom International Inc. I appreciate this opportunity to share my views about the very important issue of violence and its depiction in television entertainment programming. The Television Program Improvement Act of 1990 and hearings like today's are helpful to the process of re-examination and review, which goes on regularly at Viacom.

Everyone here today shares a healthy respect for the first amendment and the protections it affords speech and artistic expression. I sit before you this morning with an equal level of appreciation for the responsibilities incumbent in exercising First Amendment rights. At Viacom, we take those responsibilities quite seriously. All of our various businesses are based on consumer trust.

Viacom International Inc. is a diversified entertainment and communications company, which employs approximately 5,000 people worldwide. We own and operate cable television systems that serve nearly 1.1 million customers, in addition to being the owners of five broadcast TV stations and 13 radio stations. Through our Viacom Entertainment Division, we also produce programs for the broadcast networks and for the first-run syndication market.

Our new Media Group is working to develop, produce, distribute and market interactive programming for the stand-alone multimedia and interactive marketplace, which is fast emerging.

At the core of our company is Viacom Networks, which consists of MTV Networks and Showtime Networks Inc. MTV Networks includes three advertiser-supported, basic cable television networks: MTV: Music Television; VH-1 and Nickelodeon/Nick at Nite. Showtime Networks Inc. operates three premium television networks: Showtime, the Movie Channel and FLIX. We are also joint owners of Comedy Central, Lifetime and All News Channel—three additional advertiser-supported, basic cable networks.

Each of our networks has its own distinct brand-awareness, which has been achieved through a unique program line-up and on-air look. There is a definable, target audience for each of these networks; some audiences are broad and overlapping, others are more focused and distinct. These elements of distinction are essential to the success of these separate program services. Accordingly, the standards by which programs are produced or acquired, scheduled and promoted, vary from network to network and take into account their intended audiences, among other factors.

Mr. Chairman, I know you are particularly interested in MTV and Showtime, in terms of today's discussion. I will therefore focus my comments on these two cable program services in my following remarks.

The concepts, which underlie our program practices at MTV and Showtime, apply equally to all of our other program networks.

MTV reaches 57.5 million households in the U.S. Its audience is split equally male and female. A majority of its audience is 18-34 years of age. In contrast, Showtime's average subscriber is 38 years old, head-of-a-household, and has two children. Males are more typically the ones to subscribe initially; females are more likely to renew. Showtime, and its sister service, The Movie Channel, has 10.7 million subscribers nationwide.

The manner in which these networks are offered to consumers—as part of a basic cable package or on a per-channel basis—is another consideration we take into account in looking at programming standards. Cable television, unlike broadcast TV, is available only to subscribers who make a conscious choice to purchase it. Basic cable channels, such as MTV, are now sold in "packages" together with other basic channels. Parental lock devices are available to cable subscribers, who wish to lock out selected channels, they do not wish to receive or view.

Premium channels, such as Showtime, have additional safeguards. They require consumers to affirmatively elect to subscribe to their specific channel each month and to pay a special fee for that option. There are no cable subscribers who need to feel they are exposed to program services which they did not elect to view.

A great majority of our programming is acquired from outside sources. MTV acquires all of its videos—85 percent of its programming—from music recording companies. Showtime, SNI's flagship service, acquires approximately 70 percent of its programming—primarily from Hollywood studios. Moreover, Showtime has contractual obligations to license all qualifying films up to a certain number from particular studios over a set period of time. These “output deals” are fundamental to the premium television business.

This is one of the realities of our business. Original programming obviously permits a far greater opportunity to shape and mold a program's content, but the fact is it constitutes a minority portion—30 percent in the case of Showtime and 15 percent in the case of MTV—of our networks schedules. The comparatively high cost of original programming, the time it takes to develop original programs and just the quantity of product necessary to program 24-hour a day services are all factors that contribute to the existing program mix.

Another business reality, which we must meet everyday, is consumer demand. Music fans want to see their favorite artists performing their latest musical hits and expect they'll find those performances on MTV. Showtime's subscribers similarly expect and demand to see the latest hit movies unedited, in their full-length theatrical form. Movies that are hits in the theaters are usually hits on Showtime as well.

This is not to suggest Showtime and MTV serve as passive conduits for Hollywood and the recording industry. MTV, for example, receives between 40 and 50 videos a week. Many of those are not selected for scheduling. Even among those videos, which MTV was interested in acquiring during the first four months of this year, 27 percent were rejected specifically for reasons having to do with violence, drug endorsement or the negative depiction of women. Many producers will resubmit edited videos for reconsideration. Only if the initial concern has been addressed, will MTV consider placing the video into “rotation” on its schedule.

Showtime does not accept either “NC-17” or “X” rated product on its service. Unrated movies are reviewed and, if deemed to fit into those rating categories, rejected.

Our schedulers will remain vigilant to content issues and we'll revisit existing policies, as necessary. Showtime currently does not exhibit “R-rated” movies before 8:00 p.m. (in the Eastern and Pacific Time Zones) and schedules programs deemed to have particularly violent content even later. MTV's “Headbangers' Ball,” which is intended to appeal to heavy metal music fans, is shown only after 11:00 p.m. and “Yo! MTV Raps” is shown only after 10:00 p.m., because both are examples of programs we feel may not be enjoyed by the larger, mainstream MTV audience.

And this illustrates possibly better than any single example why it is so important to leave the adoption and enforcement of standards to those most keenly aware of their audience. We know who watches our networks, we know what they want, we know what they dislike or might find disturbing and it is in our business interest to stay in touch with those needs.

We are also mindful that not everyone in that audience is alike. We try to calculate the range of varying tastes and sensibilities represented. But we cannot predict every viewer's individual reaction to every program we show. That is why we will continue to poll our viewers and convene focus groups. Psychologists, professional educators and counselors have on occasion been invited to participate in MTV's decision-making process.

Each of our networks has its own, written program standards. The application of those standards goes well beyond the administration of a set of guidelines however. Programming standards are rooted in our entire programming process. They are addressed by our business affairs people in structuring acquisition deals, by our programmers in their pre-production meetings with talent, by our schedulers and promotion people as they sit down to plan that month's marketing campaign—in short, program standards are an important element in each network's identity. Those identities are our unique selling point in the market.

Part of the total identity of MTV, for example, is its public service campaigns such as “Choose or Lose,” “Rock the Vote,” and the current “Free Your Mind” campaign aimed at reducing prejudice among young adults by increasing understanding and appreciating diversity. “Rock Against Drugs,” “Don't Drink and Drive,” and “Feed Your Head”—a literacy campaign that encourages viewers to read more—are additional examples of MTV's in-house public service campaigns.

Through special campaigns like these and many of the videos scheduled on MTV, the network makes a concerted effort to send positive, pro-social messages to its young audience. Stories about everyday life in the inner city, concern for homeless people, losing a friend to drugs, environmental issues and racial tolerance are some of the themes you'll see on MTV's video rotation today, just as popular music has tended traditionally to reflect upon social issues of its time.

An increasing focus upon family programming is part of Showtime's total identity, with *Showtime Kidshour* and *The Showtime Family Movie* and original series, like *Shelley Duvall's Bedtime Stories*. Family programming currently accounts for almost half of all original Showtime programming.

The issue of television violence is not likely to go away. It plays a role in our lives and throughout time has been a recurring theme in the arts and popular entertainment. We now know more information about its potential impact on the audience as well as more about that audience. This information can be useful in guiding us as we periodically review our performance and make the necessary refinements or adjustments dictated by changing consumer values.

This examination need not lead to finger pointing between various segments of the television industry. The very nature of our business arrangements serves to tie us together on this issue of violent programming content. We are all responsible for what is offered to the American TV household.

Viacom will continue to refine and develop standards that best meet our customers' needs. Our businesses depend on it. We will continue to provide program descriptions in advance, so viewers can make informed judgments. We'll continue to employ special advisors when appropriate. And we'll seek out ways to enhance these viewer services in the context of our individual networks.

A concern over excessive violence has become an integral part of the programming process at each network. The issue will continue to be treated as a priority and safeguards will be erected as appropriate. We will keep an open mind to the ever growing volume of research on the subject of television violence with an eye towards better understanding the unique needs of different audience segments.

Any other approach would be irresponsible. Thank you.

Senator SIMON. Mr. Kenin?

STATEMENT OF DAVID KENIN

Mr. KENIN. I am David Kenin. I am executive vice president of programming for the USA Network. I have direct responsibility for all programming which appears on both USA Network, a 24-hour network available in over 60 million U.S. households, and the Sci-Fi Channel, a 24-hour network which began operations in September 1992. I appreciate being given the opportunity to tell you how we schedule our programming and about our standards and practices, particularly regarding violence.

Like our counterparts at the over-the-air networks, some of USA Network's night-time programming includes acts of violence. The violence, however, is never depicted as an end to itself, but rather in a contextual vein.

Our written policy contains the following guidelines regarding violence. Gratuitous violence is any action which exceeds the necessity of story-telling or which is used primarily for exploitative or sensational purposes. USA will not glorify violence or encourage antisocial activities, but will use it only to advance the story within its dramatic framework.

To ensure that we adhere to this and other policies, we have developed a series of review procedures. First, every program, whether it is an original program on USA or an off-network show or theatrical release, is screened by employees who have been fully briefed on these policies. We receive rough cuts of our original series, which are screened for content.

If there are questions regarding the application of our standards, the questionable material is reviewed by the vice president of programming, who reports directly to me. In the event that he has concerns regarding a portion of a program, he will review it with me and frequently with the heads of our affiliate relations, advertising or other departments.

Our off-network series frequently come to us somewhat prescreened by the over-the-air networks that originally carried them. Nevertheless, we conduct our own separate review of each episode of each series to make sure that it conforms to USA practices and standards.

Theatrical movies are reviewed in much the same fashion: If a film contains material that we deem to be inappropriate, we edit it until it conforms to our standards. Some theatrical releases rely so heavily on violence or portray violence so graphically that these films cannot be edited to meet our standards. These films are rejected in the process of acquisition and are not shown.

I cannot tell this panel that USA Network's programming is wholly nonviolent. Violence exists in our society, in television programs and on daily newscasts. We believe that we have the responsibility not to show gratuitous violence or graphic violence or programming in any way which glorifies violence. We also believe that we have a responsibility to let our viewers know when programs contain such material. Accordingly, USA Network carries both visual and audio advisories for programs which contain violent material and these advisories are repeated in commercial breaks throughout a telecast.

In short, we present a wide array of programs, most of which do not contain violence. For those programs which do contain violence, we are careful with how it is depicted so as not to glorify or condone it as an acceptable mode of behavior.

Thank you for giving me an opportunity to speak with you regarding this important matter.

[The prepared statement of Mr. Kenin follows:]

PREPARED STATEMENT OF DAVID KANIN ON BEHALF OF USA NETWORKS

I am David Kanin, Executive Vice President—Programming of USA Networks. I have direct responsibility for all programming which appears on both USA Network, a 24-hour network available in over 60 million U.S. households and the Sci-Fi Channel, a 24-hour network which began operations September 24, 1992. I appreciate being given the opportunity to tell you about how we schedule our programming and about our standards and practices—particularly regarding violence.

USA Network is a general entertainment network. Monday through Friday, our daytime schedule includes four hours of cartoons series, two hours of court shows and four hours of game shows. By the very nature of these program categories, our daytime programming contains little or no violence.

During the evening hours, we carry three off-network, one-hour dramatic series at 7:00 p.m., 8:00 p.m. and 11:00 p.m. *Quantum Leap*, *Murder*, *She Wrote* and *MacGyver*, respectively. In *Quantum Leap*, the hero travels through time to prevent bad events from occurring. *Murder*, *She Wrote* is a mystery series starring Angela Lansbury, as a mystery writer who solves murders—murders which are not depicted on the screen. Finally, the unique feature of *MacGyver* is that the lead character resolves situations through his knowledge of science and his ingenuity, rather than relying on weapons. The common thread among these dramatic series is their dependence on story line and character development. To the extent that violence appears at all in these series, it is only incidental, and never is depicted graphically.

Our programming from 9:00 p.m. to 11:00 p.m. includes professional boxing, professional wrestling, occasional golf and tennis, a series of World Premiere Movies made for USA Network, theatrical movies, and original hour-long action/adventure series.

Weekend programming includes many of the same elements including situation comedies, and a Joan Rivers talk show among other programs.

Like our counterparts at the over-the-air networks, some of USA Networks' nighttime programming includes acts of violence. The violence, however, is never depicted as an end to itself, but rather in a contextual vein. Our written policy contains the following guidelines regarding violence:

Gratuitous violence is any action which exceeds the necessities of story telling or which is used primarily for exploitative and sensational purposes. USA will not glorify violence or encourage anti-social activities, but will use it only to advance the story within its dramatic framework.

To insure that we adhere to this (and other) policies, we have developed a series of review procedures. First, every program—whether an original program on USA, an off-network show or a theatrical release is screened by employees who have been fully-briefed on our policies. We receive “rough cuts” of our original series which are screened for content. If there are questions regarding the application of our standards, the questionable material is reviewed by the Vice President of Programming, who reports directly to me. To the extent that he has concerns regarding a portion of a program, he will review it with me and, frequently, with the heads of our Affiliate Relations and Advertising Sales departments.

Our off-network series effectively come to us “pre-screened” by the over-the-air networks that originally carried them. Nevertheless, we conduct our own separate review of each episode to make sure that it conforms to USA’s practices and standards.

Theatrical movies are reviewed in much the same fashion. If a film contains material that we deem to be inappropriate, we edit them until they conform to our standards. Some theatrical releases rely so heavily on violence, or portray violence so graphically, that they cannot be edited to meet our standards without destroying the film itself. These films are rejected completely and are not shown to our audience.

I can not tell this panel that USA Network’s programming is wholly non-violent. Violence exists in society, in television programs and on the daily newscasts. We believe that we have a responsibility not to show gratuitous violence, graphic violence or programming which glorifies violence. We also believe that we have a responsibility to let our viewers know when programs contain such material. Accordingly, USA Network carries both visual and audio advisories for programs which contain violent material, and these advisories are repeated in commercial breaks throughout the telecast.

In short, we present a wide array of programs, most of which do not contain violence. For those programs which do contain violence, we are careful with how it is depicted so as not to glorify or condone violence as an acceptable mode of behavior.

I have attached a copy of our program standards and practices regarding violence for your review.

Thank you for giving me the opportunity to speak with you regarding this important matter.

VIOLENCE

Gratuitous violence is any action which exceeds the necessities of story telling or which is used primarily for exploitative and sensational purposes. USA will not glorify violence or encourage anti-social activities, but will use it only to advance the story within its dramatic framework.

Flags:

- Violence presented as a solution to human problems.
- Criminal acts which do not suffer lawful consequences.
- Techniques which instruct potential law-breakers (exception: reality programs).
- Portrayals which dwell on brutal details.
- Victimization of children or any excessive action during times children are likely to be viewing.
- Violent actions marked by frequency, intensity.
- Is violence used against antagonists only or against the protagonists as well?

Contextual Issues:

- Consider the program genre: Is the format religious, military, historical? Is the treatment contemporary, realistic, fantasy?
- Determine if the consequences of a violent act have been depicted responsibly.
- Study contextual features: Is the perpetrator of violence acting in self defense? Does he or she represent legal authority?
- Evaluate the characterization: Hero or villain, man or woman, child or elderly?
- Could this act happen off-camera and still achieve the desired dramatic effect?
- Consider audience expectations: What will the average, reasonable viewer expect/accept in this scene?

EXAMPLES OF SPECIFIC OCCURRENCES AND RELATED ISSUES

Blood:

Incidental vs. spurting;
dwelling on scene or quick cut;
graphic gore/sick detail.

Instruments of violence other than guns:

Examples: Knife, machete, spear, arrow, sword, scissors, bat, pipe, tools, home implements;
close up vs. medium or long shot;
how many stabs or cuts shown;
bodily impact shown;
sadistic use;
pummeling with blunt instrument.

Guns, bullets, other projectiles:

Close up vs. medium or long shot;
dwelling on scene or quick cut;
repeated penetrations / number of penetrations;
entry point at head, eye, face, chest, groin, other.

Other bodily harms:

Choking / suffocation;
normal punch / recoil;
burning flesh;
grotesque injury / gore;
loss of bodily part.

Other physical assault:

Fighting:
Shoving or shaking;
fists (cowboy-type);
overly brutal;
drowning;
pushing to death (window, cliff);

Torture:
Suggested or vivid;
prolonged or brief.

Sexual violence:

Rape:
Individual / gang;
prolonged, vivid / short;
S&M / punishment / whipping;
bondage.

Senator SIMON. We thank you.

Mr. Sassa?

STATEMENT OF SCOTT SASSA

Mr. SASSA. Thank you, Mr. Chairman. My name is Scott Sassa. I am president of the Turner Entertainment Group. This includes TBS SuperStation, Turner Network Television, and the Cartoon Network. I also oversee Hanna-Barbera Productions, Turner's film library, and our newly created unit, Turner Pictures. I am thankful to be here today to address this issue of TV violence.

We at Turner Broadcasting agree with you that American homes are being flooded with too much gratuitously violent programming. A little over 2 years ago, under your leadership, Congress amended the antitrust laws which allowed the television industry to jointly address the excessive televised violence. Now, Congress has a right to ask what have we done about it.

Mr. Chairman, our company has not just jumped on this antiviolence bandwagon. In testimony before Congress as far back as 1981, Ted Turner attacked the glamorization of gratuitous violence in movies, and he said that the single most significant factor contributing to violence in America is this violence. Viewers deserve better.

Turner Broadcasting is committed to creating diverse, nonviolent programming for our own network audiences and for the syndication market. Since its launch in October 1988, TNT has produced approximately 100 original made-for-television movies, and I can categorically tell you that these movies do not contain violence unless the violence portrayed is integral to the story's plot.

It is interesting. Our network associates said that cable was forcing them to move into this violent programming. TNT is one of these new channels and we have been able to create all new programs that have none of this gratuitous violence in it.

We do not create or air reality-based crime series, nor do we produce movies of the week which sensationalize the latest tragedy played out in the national media. In short, we have a record on original productions of movies and documentaries which we can be proud of and are proud of.

Of course, original movies are not the only thing we televise. We own a film library which contains over 3,000 full-length feature films. We recently acquired Hanna-Barbera Productions and its library, and we licensed third-party syndicated product to air on our network. Here, too, we have been subject to criticism for violent programming. In addition to classic movies, Turner's film library also contains some westerns and cartoons, like Tom and Jerry, which have been criticized by some.

TBS SuperStation is currently airing James Bond movies on Wednesday nights. When we run Clint Eastwood or Chuck Norris movies, we get our highest ratings. Even though Turner networks offer a largely nonviolent programming mix, action movies, which, I must add, we edit, dominate our list of most highly rated programs. Here, we will redouble our efforts to act responsibly.

We have already begun consulting with a number of violence experts to review our current standards and practices. Some of the actions we are taking include eliminating promos with violent content from airing during children's programming; examining our promo policy, in general, with the goal of reduced personal violence; and reviewing our selection and editing policies for the existing movies we televise.

We at TBS intend to move ahead aggressively both within our company and within the programming industry to promote industry-wide policies which will reduce the excessive televised violence.

As you realize, Mr. Chairman, given today's television marketplace, there is a limit as to what one company action alone can achieve without suffering competitive damage. Moreover, one company acting unilaterally will have little impact on the problem because many viewers will tune away to the competing violent programming. That is why we look forward to the August 2 industry violence conference. This will be a positive step toward industry-wide cooperation to reduce excessive violence.

In closing, I would like to add that Turner is also taking affirmative action to produce good programming for children. We produce "Captain Planet," a cartoon that teaches environmental awareness, whose heroes unite to solve problems nonviolently; "Real News for Kids," a 30-minute syndicated news program for children; "CNN Newsroom," a 15-minute, noncommercial news program produced daily for use in schools which is accompanied by professionally produced teachers' guides that are delivered daily by electronic mail. Additional efforts to produce positive children's programs are set out in my prepared statement. Turner Broadcasting wants to be part of the solution, not part of the problem.

Thank you.

[The prepared statement of Mr. Sassa follows:]

PREPARED STATEMENT OF SCOTT SASSA ON BEHALF OF TURNER ENTERTAINMENT GROUP, TURNER BROADCASTING SYSTEM, INC.

My name is Scott Sassa. I am President of Turner Entertainment Group which includes TBS SuperStation, Turner Network Television and the Cartoon Network. I also oversee Hanna-Barbera Productions, Turner's film library and our newly-created unit, Turner Pictures Worldwide.

I am pleased to be here today to address the issue of televised violence. We, at Turner Broadcasting, agree with you that American homes are being flooded with too much gratuitously violent programming. A little over two years ago, Congress passed an exemption from the antitrust laws to allow the television industry to jointly address excessive televised violence. Congress has a right, now, to ask "What's been done?"

Mr. Chairman, our company has not just jumped on the antiviolence bandwagon. In testimony before Congress as far back as 1981, Ted Turner attacked the glamorization of gratuitous violence in movies and on television as the "single most significant factor contributing to violence in America." Viewers deserve better.

Turner Broadcasting is committed to creating diverse, nonviolent programming for our own network audiences and for the syndication market. We have produced approximately one hundred original, made-for-television movies for TNT since its launch in October of 1988. I can tell you categorically that these movies do not contain violence unless the violence portrayed is integral to the story's plot: for example, our award-winning movie *Heat Wave* about the LA Watts riots and our upcoming movie on the Civil War's Battle of Gettysburg. Other award winning TNT original movies include: *The Court Martial of Jackie Robinson*, *Young Catherine* and *Connagher*.

Good examples of original productions we make for TNT's sister network, TBS SuperStation (and for subsequent broadcast distribution), include *National Geographic Explorer*, Jacques Cousteau specials, *The World of Audubon* and *Network Earth*, a weekly half-hour environmental education series. And, we have just begun a company-wide initiative to tell the story of Native Americans from their perspective using Native American authors, producers, cameramen and the like. The initiative will include a six hour documentary from *Creation to Wounded Knee* on TBS SuperStation, TNT movies with Native American themes, a 20-part CNN Special Report series and a book spanning pre-Columbian times to the present from Turner Publishing.

We do not create or air "reality-based" crime series. Nor do we produce "movies of the week" which sensationalize the latest tragedy played out in the national news media. In short, we have a record on original movie productions which we can be proud of, and we are.

Of course, original movies are not the only thing we televise. We own a film library which contains over 3,000 feature-length films plus short subjects. We recently acquired Hanna-Barbera Productions and its library, and we license syndicated product to air on our networks. Here, we, too, have been subject to criticism for violent programming. Much of our film library consists of classic movies; however, Turner's library also contains some John Wayne westerns. Even cartoons like *Tom and Jerry* have been criticized by some.

On TBS SuperStation, we are now airing James Bond movies on Wednesday nights. When we run Clint Eastwood or Chuck Norris movies, we get our highest ratings. Even though Turner networks offer a largely non-violent programming mix,

action movies dominate our list of most highly-rated movies. Here, we will redouble our efforts to act responsibly.

We already have begun consulting with a number of violence experts to review our current standards and practices. We are not sitting on our hands waiting for an industry consensus to develop. Some of the actions we are taking include:

- Eliminating promo's with violent content from airing during children's programming.
- Examining our promo policy, in general, with the goal of reduced personal violence.
- Reviewing our selection and editing policies for the existing movies we televise.

We, at TBS, intend to move ahead aggressively both within our own company and within the programming industry to promote industry-wide policies which will reduce excessive televised violence.

As you realize, Mr. Chairman, given today's television marketplace, there is a limit to what one company, acting alone, can achieve without suffering competitive damage. Moreover, one company acting unilaterally will have little impact on the problem because many viewers will tune away to competing violent programming. We know this is true from our own experience. That is why we look forward to the August 2nd industry violence conference as a positive step toward industry-wide cooperation to reduce excessive violence.

In closing, I would like to add that Turner is also taking affirmative action to produce good programming for children. We produce Captain Planet, a cartoon to teach environmental awareness. I might add, that Captain Planet's heroes are a group of children—both girls and boys—from across the world who unite to solve problems nonviolently; Real News for Kids, a 30 minute syndicated news program for children; Kid's Beat, 30 second informational spots; Black History Minutes; and, CNN Newsroom, a 15 minute non-commercial news program produced daily for use in schools which is accompanied by professionally-produced teachers' guides delivered daily by electronic mail.

Our newest network, The Cartoon Network has begun a "Toon into Reading" campaign. Public Service Announcements for the National Center for Family Literacy run featuring cartoon characters who encourage reading. The campaign has expanded from PSA's and now includes Turner Family Showcase in which Ted Turner hosts animated specials based on famous children's literature to promote reading. Turner Family Showcase has received the National Education Association Award and has been endorsed by the American Library Association, which provides related reading titles that air at the end of each program.

On a related note, Turner Pictures Worldwide recently completed production of a movie for theatrical release, *The Pagemaster*, starring Macaulay Culkin as a kid, Richard, who is caught in a thunderstorm and takes refuge in a public library. As the library mural of characters from classic literature turn the library into a world of Technicolor fantasy, the Pagemaster sends Richard to lands never dreamed of. Befriended by a trio of books come to life Richard embarks on a fantasy of adventure. Following its theatrical run, we will air *Pagemaster* on our own networks and release the movie for syndication.

The Cartoon Network also works with teachers to produce programs like *Es Incredible*, a commercial-free animated program offered at no cost to schools, using Spanish language cartoons to help teach Spanish to students. This fall, we are beginning another Cable in the Classroom program for children aged kindergarten through sixth grade to teach history, music and other educational subjects through animation—again, in consultation with teachers, commercial-free and at no cost to schools.

Recently, we have begun a collaboration with the Capital Children's Museum's animation lab here in Washington to teach children, particularly inner city children, how to produce animation. We also are looking at ways to create interactive children's programming and at many other ways to make television benefit America's children.

Turner Broadcasting wants to be part of the solution, not part of the problem.
Thank you.

Senator SIMON. We thank you.

You mentioned children's programming. The positive things really can catch on. I look at my granddaughter's fascination with Barney. You may not know who Barney is, Senator Feinstein.

Senator FEINSTEIN. No.

Senator SIMON. But I will tell you I will even sing the Barney song to you one of these days. But it suggests that we can do positive things.

I want to enter into the record a statement from Senator Hatch, who was unable to be here today.

[The prepared statement of Senator Hatch follows:]

PREPARED STATEMENT OF HON. ORRIN G. HATCH

I welcome this oversight hearing on the Television Program Improvement Act of 1990. Excessive violence on television is a problem that should concern all of us. It coarsens the sensibilities of those who watch it and promotes real violence against real victims. Its impact on impressionable young children is especially worrisome.

The Television Program Improvement Act provides a limited exemption from the antitrust laws for regulation by the television industry of television violence. Pursuant to this exemption, in December 1992 the three major networks agreed to joint standards on violence in entertainment programs.

There are several areas that I hope that this hearing will explore. It should explore whether the standards developed by the three networks are adequate and workable. It should explore whether there is a need for other members of the television industry to develop similar standards. And, it should explore whether there is any reason to modify the scope of the antitrust exemption.

The antitrust exemption under the Television Program Improvement Act is set to expire in December 1993. I intend to support its renewal, and I urge television broadcasters to act responsibly to lessen the violence on our television screens and on our streets.

Senator SIMON. Cable has done some very positive things. C-SPAN clearly has been a major contribution to our country. You have a good crew working for you here for your industry here in Washington, headed by Jim Mooney; highly respected.

But I would be less than candid in saying there isn't another side in the perception of many people here in the amount of violence. Occasionally, my wife and I will catch some show on cable that really goes so beyond good taste, and you know it has to have an adverse effect.

You mentioned, Mr. Sassa, that there is a limit to what one company acting alone can achieve without suffering competitive damage. Is there any way of getting the cable industry—and I recognize when you talk about the cable industry, you are talking about huge quantities of entities—but the giants, and the three of you represent them—and let me pay tribute to Ted Turner, one of the first to come on board to support my exemption of the antitrust laws on this question of violence.

Is there some way to get the cable industry together to say, we are going to adopt some standards, just as broadcasters now have?

Mr. Biondi?

Mr. BIONDI. Well, there are forums that exist. The gathering in Los Angeles in August is an ideal place to do it. I think to deal with the industry as a whole in one set of standards is probably going to be problematic simply because the access, for example, to an HBO or Showtime or Playboy is, by its nature, restricted. What we play on those networks are contractually essentially feature films within the ratings boundaries that I indicate, and we are contractually obliged to play them unedited and in those forms that were exhibited as features.

As you have heard from many of the witnesses here, feature films have their own set of dynamics with respect to violence. I

don't think you will have a major problem in getting agreement on the fact that there is a problem.

I think Howard Stringer illustrated many of the issues that are not relevant to cable or broadcast specifically, but relevant to the issues. How do you deal with violence in the context of programming and deal with it responsibly? There are pressures on you from the creative community. There are obviously very substantial pressures for a cable network from its audience because our audience can, in fact, disconnect every month. So there is substantial commercial pressure to keep your audience pleased with your product.

Then, at the other end of the spectrum, I mean, you mentioned C-SPAN, and it comes to mind, Nickelodeon, Discovery, Arts and Entertainment, ESPN. I mean, those are, for all intents and purposes, the most benign, in the sense of violence, programming services that you can imagine and they came simply out of the cable industry. The ideas were there. They were available. They were developed by cable.

So the answer is, as you can tell, a little bit less than direct because I don't think you can give an answer that would probably be as satisfactory as you might like in this hearing, but from an intellectual and business perspective, it is really hard to get your hands around as diverse a group of programs that range from a Nickelodeon to a Playboy in terms of content at their extremes.

Senator SIMON. But it seems to me that Nickelodeon and Playboy—while you might not agree on standards on explicit sex and some other things like that, on violence it does seem to me there ought to be some ability to get together.

Mr. BIONDI. Agreed.

Senator SIMON. And you have a limited time, as Senator Metzenbaum pointed out. This exemption of the antitrust law expires December 1, and I am sure it is no secret to your industry that you lost a major battle here last year. The major reason was because of the pricing factor. Some local stations took advantage of their pricing opportunities and their monopolies, but another factor, not as significant a factor, was the violence factor, that it had not created a lot of goodwill here in Congress.

Let me just mention, the Congressional Quarterly Researcher says a 1992 study by the Washington-based Center for Media and Public Affairs found more violence on MTV, one of your outlets, than on the three major TV networks combined. There is a problem in cable. I don't think we can deny it.

USA—here it is from The Washington Post. This is 10:30 on a Saturday morning, a lot of children watching, "A Nightmare on Elm Street," which my staff tells me is a very gory kind of movie. There is a problem on cable, and somehow we ought to be able to solve that problem without the heavy hand of Government coming down and saying, you can't do this, you can't do that. I would like to see this industry get together in the next few months to really see if a better job can't be done.

I picked on Mr. Biondi here. Any responses or reactions, Mr. Kenin and Mr. Sassa?

Mr. SASSA. Well, I think this is a very complicated issue and, certainly, from our company's point of view, we have made the efforts. But cable represents a diverse group of programmers, and we have

actually had some meetings to try to put things together and are very interested in doing that. But perhaps the plan that Representative Markey has suggested is a good way to go, or some type of reporting system. As—I don't remember the other Senator's name—

Senator FEINSTEIN. Dorgan.

Mr. SASSA. Dorgan. He has proposed something that I know our company would endorse fully.

Mr. KENIN. I think the steps of raising the consciousness on the part of the cable programmers are a great first step and I think it is incumbent on us to push this forward. I don't know the exact steps, but I certainly think this level of consciousness and public spotlight is a first step.

Senator SIMON. The difficulty is we don't have a lot of time to make additional steps, and I really think it is important for you and representatives of Time-Warner and the other biggies in the industry to get together and say, can't we do something to police ourselves rather than having Congress come in and do something. I would ask you to discuss this among yourselves, get together with Jim Mooney, get together with the other CEO's, and see if we can't do a better job than I sense we are heading toward now.

Mr. Sassa, even though Turner has done a good job, when you talk about action movies, we are talking about violent movies, usually, and we ought to be able to establish some standards here, it seems to me.

Senator Feinstein?

Senator FEINSTEIN. Mr. Chairman, I was unsure of the response to your request.

Gentlemen, did you agree to accept the Chairman's request in a positive way?

Mr. SASSA. In terms of meeting development?

Senator FEINSTEIN. Yes.

Mr. SASSA. We are all for it, from our company's point of view.

Mr. KENIN. We are participating also in these various meetings and submeetings and the August antiviolence-on-television meeting. So I think we are participating, too.

Mr. BIONDI. I mean, there are ongoing efforts, as I tried to say. It is just not easy, and I appreciate the constraints of time and the concerns of the committee.

Senator FEINSTEIN. May I ask, Mr. Biondi, when is the next meeting?

Mr. BIONDI. You know, I don't sit on the committee, per se, but David may know, or Scott.

Mr. SASSA. Well, the last meeting we had was in New York and there were members of HBO, USA, Showtime, MTV networks, and Turner Broadcasting present. We don't have another meeting scheduled right now at this point.

Senator FEINSTEIN. When was the last meeting?

Mr. SASSA. It was in New York. It was in April.

Senator FEINSTEIN. So will there be another meeting soon?

Mr. SASSA. We need to schedule one, it sounds like.

Senator FEINSTEIN. It sounds like.

Thank you very much. Thank you.

Senator SIMON. If I could just follow up, I guess what I want—I am looking for not just meetings where you get together and discuss what is going on. I really would like to see something solid happen, and you know the difference between getting together and having a good discussion and having a luncheon meeting or whatever it is and saying we have got to do something.

What I am really looking for is a commitment from you, and when I say you, I don't mean just the three of you, but from the cable industry to say, we are going to do something. If the response is ducking—and I understand that is easy to do—if the response is ducking, then I think there is likely to be a counter-response.

To your credit, as I mentioned, you had done some good things. To your credit, you did not oppose having exemption of the anti-trust law; the cable industry did not. And you hired Dr. Gerbner to monitor what you are doing, and I appreciate that, but I think we need more.

The broadcast industry, as of right now, is responding more than cable is to this situation. You are a little more diverse. I understand the problems are a little greater. But I think you can be acting, and I would like to see the three of you help to provide that leadership.

Unless Senator Feinstein has any additional questions—

Senator FEINSTEIN. No. I have no other questions.

Senator SIMON. We thank you very much for your testimony here today.

Our hearing stands adjourned.

[Whereupon, at 12:40 p.m., the committee adjourned.]

IMPLEMENTATION OF THE TELEVISION PROGRAM IMPROVEMENT ACT OF 1990

TUESDAY, JUNE 8, 1993

**U.S. SENATE,
COMMITTEE ON THE JUDICIARY,
SUBCOMMITTEE ON THE CONSTITUTION,
AND SUBCOMMITTEE ON JUVENILE JUSTICE,
*Washington, DC.***

The subcommittees met, pursuant to notice, at 10:05 a.m., in room SD-226, Dirksen Senate Office Building, Hon. Paul Simon, chairman of the Subcommittee on the Constitution, and Hon. Herbert Kohl, chairman of the Subcommittee on Juvenile Justice, presiding.

Also present: Senators Moseley-Braun, Cohen, Brown, and Presler.

OPENING STATEMENT OF HON. PAUL SIMON, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Senator SIMON. The hearing will come to order. I am pleased to cochair this hearing with the chairman of the Juvenile Justice Subcommittee, Senator Herb Kohl from Wisconsin, who has taken a real leadership position in that particular field.

It is interesting that 32 years ago today, June 8, 1961, Senator Thomas Dodd held the first hearings on—and this is the title of the hearing—"The Effects on Young People of Violence and Crime Portrayed on Television." What has changed since 1961 is then there was a perception that violence on the screen added to violence in our society. Today, we know that to be a fact. The research is just overwhelming. There is no question that television violence is a causal factor, not the causal factor. There are many causal factors, but it is a causal factor.

We are also heading toward a December deadline on the exemption from the antitrust laws for the industry getting together to establish standards, and on August 2 there will be an industry-wide meeting cohosted by the broadcasters and cable, which the movie industry is also going to attend, where for the first time there will be an industry-wide meeting on this subject.

Back in 1961, Newt Minow, a former chairman of the FCC, made a speech in which he said, among other things, "I believe in the people's good sense and good taste, and I am not convinced that the people's taste is as low as some of you assume." He added—I am skipping some paragraphs here—

The power of instantaneous sight and sound is without precedent in mankind's history. This is an awesome power. It has limitless capabilities for good and for evil,

and it carries with it awesome responsibilities, responsibilities which you and I cannot escape. I urge you to put the people's airwaves to the service of the people and the cause of freedom. You must help prepare a generation for great decisions. You must help a great Nation fulfill its future.

There are various suggestions as to what should happen. The broadcast industry has, to its credit, come together to establish standards that they have agreed upon starting with the fall programming of this year. But I would hasten to add that those standards are fairly subjective. There should be no gratuitous violence, for example. What is gratuitous violence?

Let me add, what we are talking about is entertainment violence. I do think occasionally on the news shows there is too much violence, but there is a difference between a scene from Bosnia which does not glorify violence and entertainment violence which tends to glorify violence.

One of our witnesses today, Jack Valenti, is responsible for the ratings system in movies and, to his credit and the credit of the movie industry, I think that has helped in the movie industry. Television is a very different thing. You get out of your home to go to a movie or to rent a movie. On television, you just flip that channel, and I am less enthusiastic than some are that ratings may be the answer.

The bottom line simply has to be, for those in the entertainment industry, a higher standard than what makes money. We also have to recognize some other things, and today we are going to hear for the first time in our hearings from the movie industry. The movie industry, to its credit, has raised some standards.

My wife and I not too long saw an old movie, "Laura," a great movie, but it was amazing how all the heroes and heroines were smoking. On smoking, on drinking, the movies clearly have changed and, in the process, have helped our society because we imitate what we see on the screen. There is no question about that.

In the depiction of African Americans, there has been a dramatic change. That has helped our society. I think an industry that has done these positive things on smoking, drinking, and treating of minorities can do some positive things in this area of violence. So we hold a hearing in hopes that we can solve this problem without moving, as most countries have, to government censorship.

I am sensitive to the first amendment. I used to be in the newspaper business. I don't want government inflicting standards, but in a free society we have to also recognize we have a problem, and we have to face that problem and solve that problem in ways that do not impair our Constitution.

Let me call now on the cochair of this hearing, Senator Kohl.

OPENING STATEMENT OF HON. HERBERT KOHL, A U.S. SENATOR FROM THE STATE OF WISCONSIN

Senator KOHL. Thank you very much, Senator Simon. We need to commend you publicly for having focused on this problem of violence in the media. For many years now, long before it became popular, you focused on television violence and have done a great service, and we all appreciate that very much.

As you point out, I am chairman of the Juvenile Justice Subcommittee here in the Senate, and so I also have a strong interest

in kids and the kinds of things that affect the quality of life that our kids undergo and experience, and how they grow up, what kind of things impact them as they grow up and attempt to be decent, law-abiding and respectful citizens.

Clearly, we know that what they see on TV and what they see in movie houses across the country have a great impact on their character, on their personality, and on their activities. Clearly, we know that what they see on TV and in movie houses too often causes them to form a set of values and act out these values in ways which are destructive to them and to our society.

Probably, there aren't 12 people in this country who don't agree that it is a shame that our young people are impacted the way they are by what they see on TV and what they see in the movies. The question is what can we do about it, and all of us, as Senator Simon points out, are very sensitive in the sense that we do not want to impose unnecessary rules and regulations and even perhaps violate the Constitution by imposing these rules and regulations on censorship on TV and in the movies.

The question is what are these people prepared to do by themselves. What kind of regulations are they willing to accept, self-imposed, so that government doesn't have to step in. Well, we have been talking about it for years and years, and may I say that people in the industry have been talking about it and perhaps dancing around it for years and years, and understandably so, because in their opinion, they are talking about profits and a bottom line.

I am a person who comes from business and I understand capitalism. I understand business, I understand how people in business want to maximize their profits, as they should. That is what our country is all about. The question is, is the media different and does the media have an additional responsibility beyond what we see in normal business activities. I think the answer is yes, for a whole litany of reasons, but I think that people in the television business have to accept those kind of responsibilities over and above what people in other business areas accept.

I think that unless you all accept those responsibilities some time in the near future, then as much as Senator Simon indicates that we don't want to step in, I think it is going to happen. That is just my opinion. I think that the American society and the American people are going to demand that we step up and do what we need to do if you all don't do it yourselves.

I hope that this hearing will be one of those kind of frank hearings where we can exchange views on this and really begin to get to a bottom line. Can we expect you to exercise the kind of restraint that the American public wants you to exercise without government having to step in.

So this is an important hearing. It is a good hearing, and a great forum. Again, I want to express my appreciation on behalf of all the American people to Senator Simon for convening this hearing with me.

Senator SIMON. Thank you, Senator Kohl.

Senator Pressler, do you have an opening statement?

**OPENING STATEMENT OF HON. LARRY PRESSLER, A U.S.
SENATOR FROM THE STATE OF SOUTH DAKOTA**

Senator PRESSLER. I do not, Mr. Chairman. I will submit an opening statement, and I thank you very much for holding these hearings and getting these things defined. It is always a little difficult. My wife and I attended "Cliffhanger" with Sylvester Stallone last night because it is in our neighborhood theater, Union Station. I don't know if the violence was gratuitous violence or not, but the place was packed. I understand it is near the top in terms of box-office receipts.

People vote with their feet, to some extent. Maybe Jack Valenti or somebody can explain the relationship of movie violence to success at the box-office. But we were there, as were lots of other people, so there must be a market for a lot of action. That is what we are here to discuss today.

[The prepared statement of Senator Pressler follows:]

PREPARED STATEMENT OF HON. LARRY PRESSLER

Mr. Chairman, I appreciate your holding these hearings to discuss an extremely important and pressing problem: violence on television. Every day, millions of children throughout the nation watch television programs in which characters routinely are mugged, abused, tortured, and killed. Many episodes portray all of the above. I welcome this opportunity to explore the impact such programming has on our children.

Of all the wondrous inventions of the twentieth century, television is undoubtedly the most pervasive, reaching deep into the lives of its viewers. From television's beginnings, America took to the tube without reserve. It was love at first sight. Today, few will deny the presence TV has in all of our lives, especially in our children's. More than a generation of Americans have grown up with TV as their friend, teacher, and surrogate parent. Its power to influence behavior, positive or negative, must be explored.

It is true that many programs entertain and inform us without resorting to gratuitous violence. But all too often, violence is the method by which messages are made. Daily we are barraged with portrayals of violence disguised as solutions to the dilemmas faced by television characters. How many times do programs end with characters shooting their way out of a situation? All of us watch such shows far too casually at night, then are shocked to read in the morning about the unbelievable crimes children commit throughout the country.

Is there a connection? I don't know, but the potential impact of programming on the minds of impressionable young children require us to answer this fundamental question. So, Mr. Chairman, while always keeping in mind the guarantees of the First Amendment, I look forward to the testimony of the distinguished panelists appearing before this committee today.

Senator SIMON. If I could just comment before calling on my Illinois colleague, there is an inconsistency in the public that we see in public life. On the deficit, people write to us that what they want are more services, lower taxes, and a balanced budget, and obviously we have a very difficult time giving them that.

What the public wants today, if you can judge by what they attend, is less violence—the evidence is overwhelming—but they also frequently go to movies and watch the TV shows that have a great deal of violence. So there are some difficulties here, and we have to work with those inconsistencies.

Senator Carol Moseley-Braun?

OPENING STATEMENT OF HON. CAROL MOSELEY-BRAUN, A U.S. SENATOR FROM THE STATE OF ILLINOIS

Senator MOSELEY-BRAUN. Mr. Chairman, I would like to take this opportunity to commend you and the chairman of my subcommittee, Senator Kohl, for the opportunity to address this issue, and I particularly want to thank you, Senator Simon, for allowing those of us on the Juvenile Justice Subcommittee the opportunity to participate in these important hearings.

While violence on television has an effect on us all, the influence is most significant on our Nation's children. Studies show that the average child will witness over 8,000 murders on television before even finishing elementary school. To deny that this daily dose of televised brutality does not affect our children is not only naive, it is irresponsible.

We are teaching our children that the world they live in is a frightening place where the appropriate way to solve problems is not with cooperation or words, but with a knife or a gun. I think we can all agree that our children deserve better.

To the representatives of the television and motion picture industry here today, I applaud your decision to meet in Los Angeles this August in an attempt to address this problem. I sincerely hope that your conference will be a serious attempt to develop standards that will decrease the unwarranted amount of violence shown not only on network television, but in motion pictures and on cable as well.

I want to stress that, contrary to the assertions of some, this is not an attempt to initiate censorship. The Senators here seated today would be the first to object to the use of censorship as a solution to television violence. However, the fact remains that a television license is a privilege and along with that privilege comes responsibility. The TV and motion picture industries cannot dodge these responsibilities by hiding behind the first amendment.

I realize that there may be times when it may be necessary or appropriate to depict violent acts on television. However, there is no need for the extreme amount of gratuitous violence, and particularly murder and gun-related violence, inflicted by television without any depiction of the consequences of these actions. I think anyone who turned on the TV during the May sweeps periods would agree with this view because it seems that that is when it gets the worst.

Perhaps the most positive result of the TV Program Improvement Act is that it has changed the very nature of the debate about television violence, Senator Simon. No longer are we meeting to discuss whether or not violence shown on television or in the movies influences children. We take that as an assumption; of course, it does. If children were not influenced by television, advertisers wouldn't spend thousands and thousands of dollars on 30-second commercials. Instead, thanks to you, the debate is properly focused on what the industry will do to address and resolve the problem.

I look forward to this hearing today, and join the chairman in welcoming today's panels of distinguished witnesses, including our colleague, Senator Levin.

Senator SIMON. Thank you.

Senator Cohen, do you have an opening statement?

**OPENING STATEMENT OF HON. WILLIAM S. COHEN, A U.S.
SENATOR FROM THE STATE MAINE**

Senator COHEN. I do have an opening statement, but in view of the time and the fact that we are going to be voting at 11:30 on back-to-back votes, I will forego any lengthy opening statement and simply observe that violence on television has been pretty much like the weather. Everybody talks about it, but no one has seemed to do very much about it.

This debate has been going on for decades, and I think we have reached well beyond the point as to whether or not there is any dispute on the issue of correlation. I think all you have to do is watch Michael Jordan play to find out whether or not thousands, perhaps even millions, of young people want to emulate his drives to the basket or the way in which he dresses.

The fact is that what we do often depends upon what we see, and who is doing what on television. In my judgment it does, in fact, influence behavior. To the extent that we have violence depicted on television in graphic and gross ways, I think it does have a direct impact upon actions by those who witness those programs.

Mr. Chairman, I won't take more time. Hopefully, we will be able to draw some of this out during the course of the hearing itself. But I commend you for holding the hearing.

Senator SIMON. Thank you.

Our first witness is our colleague from Michigan, Senator Carl Levin.

**STATEMENT OF HON. CARL LEVIN, A U.S. SENATOR FROM THE
STATE OF MICHIGAN**

Senator LEVIN. Mr. Chairman, thank you. First, thanks to both you and Senator Kohl for cochairing these hearings. You have led the way in trying to reduce the level of violence on television. The whole country is in your debt.

There is no question that our television sets are filled with murder and mayhem. The May ratings sweeps, to which Senator Moseley-Braun referred, were so horrible in this regard that they were dubbed "Murder Month."

An area which I find particularly troubling, Mr. Chairman, and which you addressed in a prior hearing is the issue of violent promotional spots and commercials which are shown at an inappropriate time, specifically during family programming, which is the time where you have programs that children are expected to be watching.

No matter how hard parents try to control what their children see, no matter how well-intended they are to avoid violent programs, when a network or a station introduces a promotional spot or a commercial which is violent unexpectedly in the middle of a basketball game or in the middle of "The Cosby Show," their best intentions are thwarted.

One of the areas we should focus on, and the industry must focus on, is these promos and these violent commercials which are tucked into otherwise nonviolent, family-oriented shows where there is no prior warning, and the entire commercial or the promotional spot is aired before a parent has time to even react.

These are graphic, violent ads and promos that I am talking about. Let me just give you a couple of examples. An ad for the movie called "The Mobsters" was shown during "The Cosby Show." This movie ad depicted a man begging for his life from a man who was pointing a gun at him, and then he was killed in cold blood.

Another ad which was aired during one of those Sunday afternoon basketball games that Senator Cohen referred to showed and described a young teacher seducing her pupil and then getting him to kill her husband, and one scene showed a terror-stricken man with a large knife at his throat begging for his life.

Mr. Chairman, you and I introduced a sense of the Senate resolution stating that cable and television networks and local television stations should establish and follow voluntary guidelines to keep commercials depicting acts or threats of violence out of family program hours. That sense of the Senate resolution was adopted in January of 1992, and in December of 1992 the network guidelines relative to the depiction of violence in TV programs were adopted and contained a number of provisions. But those provisions have not yet been implemented, and the proof of that is "Murder Month," which was May of this year for the ratings sweeps.

Parents have two defenses against violence on television. The first defense is that they can select the program. That defense is undermined when violent promos and commercials are suddenly interjected into a family program, be it "The Cosby Show" or be it a basketball game. That is defense number one, the selection process, and we have got to protect that decision on the part of parents and act strongly against those commercials and promotional ads that are so violent and yet catch parents by surprise. There is no defense against them, as well-intended as those parents are, and I would hope that the upcoming conference on violence on television in August will specifically address that issue which you have pointed to, Mr. Chairman, in the prior hearing.

There is another defense that parents have, and that is they can complain to their local television station or to the network, but that defense, that effort, is undermined by the inability to obtain a copy of the offensive material, unless the stations or the networks are required to maintain that material for a period of time so a parent can get a copy at a reasonable price and file a complaint.

We made an effort to get copies of those violent ads, and those efforts were thwarted and frustrated, and ultimately were unsuccessful in some cases because there was apparently no requirement—and I say apparently because I can't find the requirement—that local stations or networks maintain the material which they air.

So I would hope that the networks and the stations and the FCC would voluntarily adopt a regulation requiring that material that is aired be kept for 30 days. But in the event they do not do that, I think it is appropriate for government to require that material which is placed on the air be maintained for 30 days, be made available to people at a reasonable price so they can file a complaint. And I intend to introduce such legislation to require the maintenance of such material and making it available to persons for that purpose at a reasonable fee if the FCC does not act to require it.

As you and Senator Kohl and others have pointed out, Mr. Chairman, government has a very limited role here because of the first amendment, but we do have a role. Part of that role is being implemented right here by you, Senator Kohl, and others in speaking out against violence on television. But we also have some regulatory possibilities. They are limited, but they are there, and one of them would be, again, to require the maintenance of programming material by the networks and by the stations so that parents who want to complain have that opportunity to complain.

Again, I want to commend you, Senator Kohl, and all others who have taken a lead in this effort, Mr. Chairman. I also am pleased that Prof. Leonard Eron of the University of Michigan will be testifying this morning. He is an expert in the field of the impact of televised violence on children.

I also would ask that the testimony of another Michigan group, called the National Council for Children's Television and Media, the Michigan chapter—that prepared testimony of Marilyn Drose be made part of your record.

Senator SIMON. It will be entered in the record.

Senator LEVIN. Again, I thank you for your invitation.

[The prepared statement of Senator Levin follows:]

PREPARED STATEMENT OF HON. CARL LEVIN

Mr. Chairman, I appreciate the opportunity to testify before this joint hearing on television violence. I commend you, Senator Simon, for your longstanding effort to reduce the level of violence brought into our homes through television, and you, Senator Kohl for cosponsoring this hearing.

There's no question but that our television programming is filled with murder and mayhem. The May rating sweeps were so horrible in this regard they were dubbed "murder month".

Adults can choose their programming and hopefully have the mental capability to distinguish between fantasy and real life. But children who get caught up in these programs and the advertisements that promote them are not as capable and are vulnerable to the strong impressions the violence creates.

An area which I find particularly troubling and which Senator Simon touched upon in the hearings held last month, is the issue of violent promotional spots and commercials which are shown at inappropriate times—specifically during family programming or those shows oriented to children's viewing. Try as parents may to control the shows their children watch, it is almost impossible for them to control the commercials that their children watch during otherwise permissible programs. These violent commercials can defeat a parent's best intentions to protect their children from violent scenes. A parent can prevent a child from watching a TV show which is known to be violent; however, when a violent or offensive commercial is tucked into an otherwise non-violent, family-oriented show there is no prior warning and the entire commercial can be aired before a parent has time to react.

These are not just ads that could be construed to be violent; these are ads that contain graphic, violent acts. For example, an ad for the movie, "The Mobsters" shown during "The Cosby Show" depicted a man begging for his life from a man pointing a gun at him and then being killed in cold blood. Another ad, aired during a Sunday afternoon sports event, showed and described a young teacher seducing her pupil and getting him to kill her husband. One scene showed a terror-stricken man with a large knife at his throat, begging for his life.

The issue of troubling TV adds was featured in an article in the February 1, 1993, issue of *U.S. News and World Reports*. Staff of *U.S. News*, assisted by researchers who study violence on television, did an informal survey of 50 hours of television programming to gain a sense of the frequency of violent or inappropriate TV ads. The staff and researchers identified a dozen ads that were "questionable", the majority of which were aired during the late afternoon and early evening—prime viewing hours for children.

In October 1991 I wrote to over ten TV network and cable station executives urging them to keep violent commercials out of family programming. I received a mixed bag of responses: some, like the three major networks, replied that they had stand-

ards in place and indicated that they were seeking to take an active role in policing violence in their own programming; some indicated they had standards but it was unclear as to how actively they were enforcing them; and some never bothered to respond.

As a result, I, along with Senator Simon, introduced a sense of the Senate Resolution stating that "cable and television networks and local television stations should establish and follow voluntary guidelines to keep commercials depicting acts or threats of violence out of family programming hours." That Sense of the Senate Resolution was adopted by a voice vote on January 30, 1992.

I am pleased that the December 1992 network guidelines for the depiction of violence in TV programs contains two provisions which specifically address the issue of violent commercials. Standard No. 11 states, "Realistic portrayals of violence as well as scenes, images or events which are unduly frightening or distressing to children should not be included in any program specifically designed for that audience." Standard No. 14 states, "The scheduling of any program, commercial or promotional material including those containing violent depictions, should take into consideration the nature of the program, its content and the likely composition of the intended audience."

Mr. Chairman, I have also urged the sponsors of the upcoming entertainment industry conference on violence in July to include as a specific area of discussion violent commercials and promotional materials, particularly during family programming hours.

One area which I am interested in pursuing further is the rights of consumers when it comes to registering complaints with either their local station or the FCC regarding violent or offensive programming. My own staff found it very difficult to track down, request and receive copies of violent commercials aired during family viewing.

My staff saw one particularly violent commercial immediately following a Sunday afternoon basketball game between Georgetown and Syracuse universities. This is the type of game many youngsters love to watch. A member of my staff who is a parent, tried to track down a copy of the commercial. That search has been incredibly time-consuming and unrewarding. After many efforts, we were finally able to obtain a video-tape from the network of the relevant period of time. However, when we viewed the tape, there was one spot on the hour-long tape that was blank—and that was the commercial spot immediately following the game which was the specific spot which we had requested. In following up on that, my staff was told it must have been a local commercial. But in tracking down the local television station, the roster shows no such commercial. In short, we came up against a brick wall.

It is my understanding that TV stations and the networks are under no obligation to provide copies of program promotions and commercials to the public. I believe this is a barrier to individuals who are seeking to lodge complaints regarding such material since the most logical source for the material is the TV station or the network itself. I will be asking the FCC and industry officials to establish a system to require the maintenance of commercial programming for at least thirty days after such programming has been aired and to require that such materials be available to the public, upon request, and for a reasonable fee, if appropriate, for purposes of a complaint to the station or the FCC. If the FCC and the industry will not act, I will introduce legislation requiring the networks and stations to maintain and make available all programs for a reasonable period and for a reasonable fee for purposes of complaint to the networks, stations or the FCC.

The role of the government in overseeing the content of television programming is restricted and should remain so. At the same time, however, I believe we have not only a right but a duty to speak out against programming that we believe can damage the well-being of our children. Your efforts, such as this hearing today, reflect a growing concern across the country that the violent content of television has gotten out-of-hand. I believe we have gotten the industry's attention, and I hope this translates into greater sensitivity on their part to the appropriateness of the content of their shows and commercials for the viewing audience, particularly during family viewing time.

I thank you for this opportunity and I am pleased that you have chosen Professor Leonard Eron of the University of Michigan to testify on the effect of televised violence on children. He is an acknowledged expert in this field and I will be very interested to read his testimony regarding violence.

Senator SIMON. We thank you for your testimony.

We are pleased to have one of the House leaders in this field, Representative Chuck Schumer, here.

STATEMENT OF HON. CHARLES E. SCHUMER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. SCHUMER. Well, thank you, Senator, and I very much appreciate not only the opportunity to testify here, but far more importantly your early and strong leadership on this issue. You have been a beacon on this and I think all of us appreciate it.

I want to say, as chairman of the Crime and Criminal Justice Subcommittee of the House Judiciary Committee, and more importantly as the father of two impressionable young children who have probably already seen 5,000 murders and acts of violence on television, I am very concerned about the amount of violence in the media today, and more importantly the effect the level of violence may be having on our society.

Mr. Chairman, as you will recall, this past December my subcommittee held a hearing on this subject, at which we were fortunate enough to have you testify. The results of the hearing were overpowering to me. For example, the American Psychological Association estimated that a child who watches 2 to 4 hours of TV daily will have witnessed 8,000 murders and 100,000 other acts of TV violence by the time he or she leaves elementary school.

The most striking thing about our hearing, Mr. Chairman and members of the subcommittee, was the fact that the link between violence on TV and violence in society has become more than just speculation. While, in most of these kinds of sociological experiments, you can't be certain, the link has become direct. The amount of violence kids see on TV is directly related to the amount of violence that they perpetrate in their lives, and that link is frightening, it is sobering, and it should impel us to some form of action.

I agree with you and Senator Kohl and Senator Levin that we have to be very careful, but the overwhelming fact of why things have changed, I think, in the last year is that that link is no longer just speculative. I would say now the burden of proof has shifted to those who put out the movies and the TV shows that have such violence to now show that it doesn't have the effect that many of us, and you particularly, Mr. Chairman, have feared.

In addition, as you know, during sweeps week last month, the semiannual carnival of murder and mayhem on the airwaves, things were just incredible. I have to admit that I have very little sympathy for those who put out this stuff. While many times the networks are living up to the ignominious title of keepers of our cultural wasteland, in some respects they are indeed driven to it by the proliferation of gore and sleaze by their competitors in the cable industry, and this is my second point.

The networks, in a sense, because they are more regulated and are the easier target, seem to get most of our wrath. But if you compare the amount of violence that the networks put on, it is less than cable puts on, much of which doesn't have advertising and is far more immune to public pressure, and cable probably pales before what movies do.

I, too, think any approach we have has to be across the board, not just aimed at the networks or not just at cable, but at the whole entertainment industry. I have taken my kids to movies that are rated PG, and you can be sure there is no sexual content to

those movies. What you can be almost as sure of is there is gobs of violence.

During the Christmas holiday, I went to what I thought would be a funny movie, "Home Alone II," rated good family entertainment, and the amount of violence in that movie made me sick to my stomach, as my kids were sitting there, 8 and 4, laughing away at what went on. So I think our second point is—or at least mine is—that we have to look at this in a broad-based way because otherwise we won't accomplish anything.

Finally, the dirty little secret about all this is that viewers are engrossed with all this gratuitous violence in movies and TV. It is hard to turn off the TV set during a shoot 'em up bloodbath, and that is why the networks, for instance, overload us with it during sweeps weeks. They know that a lot of murder and mayhem will boost their ratings when it is most important.

So I have been thinking long and hard with my staff about what do we do, being, as I am, a protector of the first amendment and with the realization that direct government intervention would be worse than all of this stuff on television. I think we have to start focusing on this, Mr. Chairman, as a public health crisis, not so much as a government regulatory issue.

Perhaps we are where we were 30 years ago with cigarettes, when people began to realize—it wasn't proven conclusively, but the evidence began to shift—that this was bad for individuals and for society. The response that has helped reduce cigarette smoking was simply one, as you have pointed out, of education, but not just leaving the education out there to the ether or the occasional times when you or others, myself, hold hearings, but perhaps a more concerted educational effort.

So we need to approach television violence, in my judgment, as a public health crisis much as we have with the dangers of smoking which began almost 30 years ago with the Surgeon General's report. There were a number of tools used successfully in the antismoking campaign that could raise the public's awareness of the dangers of media violence and its effect on children.

For example, one of the key components in the campaign about health risks of tobacco has been a series of very successful public service announcements highlighting the harmful effects of smoking. Perhaps a similar campaign to draw attention to the danger of children's relentless exposure to media violence could yield some positive results as parents, who right now probably are not aware of the links between seeing violence and perpetrating violence, would be educated.

So, today, I am sending a letter to the Advertising Council to ask their help in fashioning such an ad campaign. We must alert and remind parents and children to the potential dangers that come from their own television sets and local movie theaters.

I think also, since TV violence is a national crisis—one that is incipient and doesn't hit us in the face—there is one other thing we ought to do. I will be introducing a bill this week to create a Presidential commission to be headed jointly by the Surgeon General and Attorney General and composed of persons from the TV and advertising industry, as well as parents, that would identify other possible solutions to the problem.

We need a consensus here. We need to educate, we need to move the country along to see what you have seen so many years in advance, and I think the idea of a commission, headed both by someone in charge of our Nation's health, the Surgeon General, as well as the Attorney General, who is dealing with the violence in the streets, might be able to do that.

I underscore it should have people from the industry on it. We are not going to do a solution that rolls over the industry. I don't think we can or should. But when you talk to individuals, whether they be from the movie industry or the networks or the cable industry, they each say, we are willing to help, but the other guy will get an advantage on us if we help alone, and so that is why I envision this type of solution.

Most people, I think, including those in the entertainment industry, would probably agree that TV violence has gotten out of hand when you talk to them in a private conversation. I talk about it among my friends who have children. We are just appalled, and somehow this is something that when you are in the Beltway you don't quite get it.

The revulsion that the average consumer of these kind of shows and films has for what is going on is great, not just among hard-wing conservatives, but all across the spectrum. So I think this kind of commission, which again would have people from across the industry, as well as others, might begin to move us in a direction mindful of the admonition against government intervention. We must build a consensus on what steps to take, and the commission would be perhaps able to move us along toward that consensus.

So I want to thank you for holding this hearing. I look forward to working with you on these and other issues.

Senator SIMON. We thank you for being here. I have no questions. Let me just say I have some reluctance about moving to a commission. The danger in a commission is that we simply delay doing what we know we have to do right now. So I don't want to say I am opposed to it, but I am reluctant to move in that direction.

Do any of my colleagues have any questions?

[No response.]

Senator SIMON. If not, we thank—

Mr. SCHUMER. Mr. Chairman, I would just make one point. I think if we had a consensus about how to do this and where to go and what to do, I would agree with you. I just find, as I talk to people, there are so many different opinions out there, that is why I think a commission might at this point, early on—we are early on this effort—might be helpful. But I understand your caution about it.

Senator SIMON. All right. We thank you very much for your testimony and your leadership.

Our first panel is Dr. Leonard Eron of the Institute for Social Research, University of Michigan, and Dr. William H. Dietz of the American Academy of Pediatrics. I might mention to all our witnesses we will follow the 5-minute rule. We will enter your full statements in the record. If you can summarize in 5 minutes, then we will have an opportunity for questions.

Dr. Eron, we will hear from you first.

PANEL CONSISTING OF LEONARD D. ERON, RESEARCH SCIENTIST AND PROFESSOR OF PSYCHOLOGY, UNIVERSITY OF MICHIGAN; AND WILLIAM H. DIETZ, AMERICAN ACADEMY OF PEDIATRICS

STATEMENT OF PROF. LEONARD D. ERON

Mr. ERON. Thank you, Senator Simon, Senator Kohl, and honorable committee members. I am Leonard Eron, research professor emeritus at the University of Illinois at Chicago, and currently professor of psychology and research scientist at the Institute for Social Research at the University of Michigan. I am chairman of the American Psychological Association Commission on Violence and Youth, which will issue its final report later this year, and for 3 years was a member of the National Research Council Panel on Understanding and Control of Violence, which issued its final report this past fall. Both of these reports implicate television violence as one of the causes of aggression and violence in the United States.

For the past 40 years, I have been engaged in the study of how children grow up learning the lessons of aggression and violence as youngsters and carry these lessons with them into adulthood. I have coauthored 3 books and published over 100 articles in edited journals detailing the findings of this extensive research.

The scientific debate is over, as you have all noted from the testimony of the previous witnesses and statements of the members of the committee. Ever since the first studies came out in the early 1960's relating increased aggressiveness in children to the violent content of the television programs they were watching, there have been a few naysayers who have criticized the studies because, they claimed, the effects were too small or not meaningful about the behaviors; they are not serious antisocial acts.

However, a recent summary of over 200 studies published through 1990, using state-of-the-art meta-analysis procedures, offers convincing evidence that the observation of violence as seen in standard, everyday television entertainment does affect the aggressive behavior of the viewer. The results of these studies are robust, and the meta-analysis included studies of criminal violence, not just ordinary aggressive behavior among youngsters. This is an important social concern.

However, although the scientific debate may be over, the public policy debate still continues. The first time we testified to the Congress on this matter was at hearings held by Senator Pastore and his Subcommittee on Communication in 1972 subsequent to the issuance of a report by the Surgeon General which had concluded, citing both experimental evidence as well as longitudinal field studies, including my own, that there was a direct causal link between exposure to televised violence and subsequent aggressive behavior of the viewer.

Since that time, as more and more evidence has accumulated about the causal link between media violence and real-life violence, and more reports by national commissions have confirmed this causal linkage, and as more and more congressional committees have investigated the state of affairs, the graphic depiction of media violence has continued unabated.

I remember that after giving our testimony at the hearings in 1972, we were followed by the presidents of ABC, CBS, and NBC. While each of them expressed some skepticism about our research findings, they agreed nonetheless to lower the level of violence in their programs. It was a promise they never fulfilled.

TV violence has not diminished over the last three decades, and judging by last month's sweeps, which have been referred to before, the violence of programs is as graphic and ubiquitous as ever. I won't bore you with the statistics again, but by the time children near the end of their teenage years they have been witness to over 200,000 violent acts within the media.

Ladies and gentlemen of the Senate, the time has come for you to act. The TV industry has demonstrated over the last 20 years that it cannot or will not regulate itself. Something must be done before we expose another generation of our youth to the ever-increasing detrimental harm of televised violence.

The Centers for Disease Control of NIH has declared youth violence in the United States as of epidemic proportions and has implicated television violence as one of the causes. This is a public health problem, as was noted by Congressman Schumer, and we must find solutions to the impending virtual disaster that this epidemic portends.

Previous congressional efforts to influence TV programming have either ignored television violence—for example, the Children's Television Act of 1990—or have thus far been unsuccessful. I hope, Senator Simon, that in August something definite will come out, but I have my doubts.

What can be done? As soon as the suggestion for action comes up, the TV industry raises the specter of censorship, violation of first amendment rights, and abrogation of the Constitution, and many of you here have referred to that. For many years now, however, Western European countries have had monitoring of TV and films for violence by government agencies and have not permitted the showing of excess violence, especially during child viewing hours, and I have never heard complaints by citizens of those democratic countries that their rights have been violated.

If something doesn't give, we may have to institute some such monitoring by Government agencies here in the United States. I hope, as you do, that this does not happen. But if the industry does not police itself, then there is left only the prospect of official censorship, distasteful as this may be to many of us. However, as stated previously, youth violence is a public health problem. Media violence is one of the causes, and drastic steps that we do not favor may have to be taken to curb the epidemic.

Thank you.

[The prepared statement of Mr. Eron follows:]

PREPARED STATEMENT OF LEONARD D. ERON, PH.D.

Senator Simon and honorable committee members, I am Leonard Eron Research Professor Emeritus at the University of Illinois at Chicago and currently Professor of Psychology and Research Scientist at the Institute for Social Research at the University of Michigan. I am the Chairman of the *American Psychological Association Commission on Violence and Youth* which will issue its final report later this year and for three years was a member of the *National Research Council Panel on Understanding and Control of Violence* which issued its final report this past fall (Reiss

& Roth, 1992). Both of these reports implicate television violence as one of the causes of aggression and violence in the United States.

For the past 40 years I have been engaged in the study of how children grow up learning the lessons of aggression and violence as youngsters and carry these lessons with them into adulthood. I have coauthored three books and published over 100 articles in edited journals detailing the findings of this extensive research. Closely associated with me in this endeavor for over 20 years has been Rowell Huesmann, Professor of Psychology and Communications and Research Scientist at the University of Michigan. Just last month he testified at hearings held by Congressman Markey and the Subcommittee on Telecommunications and Finance. He concurs with the remarks I am about to make.

The scientific debate is over. Ever since the first studies came out in the early 60's relating increased aggressiveness in children to the violent content of the television programs they were watching (Eron, 1963), there have been a few naysayers who have criticized the studies because, they claimed, the effects were too small to be meaningful or the behaviors which were affected were not serious anti-social acts. However, a recent summary of 200 studies published through 1990, using state of the art meta analysis procedures (Comstock and Paik, 1991), offers convincing evidence that the observation of violence, as seen in standard every day television entertainment, does affect the aggressive behavior of the viewer. The results from study to study are robust. Further, the meta analysis included studies of criminal violence. All types of aggressive behavior, including illegal behaviors and criminal violence, had highly significant effect sizes associated with exposure to television violence. The studies using criminal violence and other illegal activities as criteria of aggressive behavior yielded comparable findings to studies in which less violent aggressive behavior was the criterion. Thus the behaviors affected by viewing television violence are indeed cause for social concern. For example, our longitudinal studies which are now just one element in this compelling body of research have shown that the extent to which 8 year olds in 1960 watched the shows that were then considered violent (e.g., *Gunsmoke*, *77 Sunset Strip*) was related to how many physical fights they got into 11 years later when they were 19 and then to how often they were arrested for violent crimes by the time they were 30 (Huesmann, Eron, Lefkowitz, & Walder, 1984).

However, although the scientific debate may be over, the public policy debate still continues. The first time we testified to the Congress on this matter was at hearings held by Senator Pastore and his Subcommittee on Communication in 1972, subsequent to the issuance of a report by the Surgeon General which had concluded, citing both experimental evidence as well as longitudinal field studies, including our own, that there was a direct causal link between exposure to televised violence and subsequent aggressive behavior of the viewer. Since that time, as more and more evidence has accumulated about the causal link between media violence and real life violence, and more reports by national commissions have confirmed this causal linkage, and as more and more congressional committees have investigated the state of affairs, the graphic depiction of media violence has continued unabated.

I remember that after giving our testimony at the hearings in 1972 we were followed by the Presidents of ABC, CBS and NBC. While each of them expressed skepticism about our research findings, they agreed nonetheless to lower the level of violence in their programming. It was a promise they never fulfilled. TV violence has not diminished over the last three decades and, judging by last month's "sweeps", the violence of programs to be aired during this coming season is as graphic and ubiquitous as ever. Research shows that there are about 5-6 violent acts per hour on prime time and 20-25 acts on Saturday morning children's programs (Gerbner & Signorielli, 1990). Within the United States this accounts for about 188 hours of violent programs per week, or around 15 percent of program time (Huesmann, 1992). In addition to broadcast television, cable TV adds to the level of violence through new, more violent programs and by recycling older violent broadcasts. A recent survey by the Center for Media and Public Affairs (Lichter & Amundson, 1992) identified 1,846 violent scenes broadcast and cablecast between 6 a.m. to midnight on just one day in Washington, D.C. The most violent periods were between 6 to 9 a.m. with 497 violent scenes, and between 2 to 5 p.m., with 609 violent scenes. Most of this violence is presented without context or judgment as to its acceptability, and most of the violence in the morning and early afternoon is viewed by children.

Extrapolating from these data it can be seen that if children watch, on the average, 2-4 hours a day of television, then by the time a child leaves elementary school he or she would have seen 8,000 murders and more than 100,000 other acts of violence. As they near the end of their teenage years these youngsters have been witness to over 200,000 violent acts within the media (Huston et al., 1992). That's just

network television. This figure would actually be greater if we also included exposure to Cable channels or the VCR use of R-rated films. Popular films like Die Hard 2 (264 violent deaths), Robocop (81), and Total Recall (74) have far more violence even than commercial prime time TV, from which the above figures are estimated. This is important to note given the changes in technology and increased program access for children over the last decade.

Ladies and gentlemen of the Senate, the time has come for you to act. The TV industry has demonstrated over the last 20 years that it cannot or will not regulate itself. Something must be done before we expose another generation of our youth to the ever increasing detrimental harm of televised violence. The Centers for Disease Control of NIH has declared youth violence in the U.S. as of epidemic proportions and has implicated television violence as one of the causes. This is a public health problem and we must find solutions to the impending virtual disaster that this epidemic portends.

Previous congressional efforts to influence TV programming have either ignored television violence (e.g. Children's Television Act of 1990 (HR 1677)) or have thus far been unsuccessful (e.g. Senator Simon's Television Program Improvement Act) as demonstrated by the recent "sweeps" I referred to before.

Recently a petition for change in rules has been submitted to the FCC by a private organization, the Foundation to Improve Television, William Abbott, President. This rule change would require restriction of violence displayed during child viewing hours, 6 a.m. to 10 p.m., and the continuous use of warning labels to accompany programs shown during these hours which do contain violence. It is still uncertain whether such a rule change will be instituted.

What can be done? As soon as the suggestion for action comes up, the TV industry raises the specter of censorship, violation of first amendment rights and abrogation of the constitution. For many years now Western European countries have had monitoring of TV and films for violence by government agencies and have not permitted the showing of excess violence, especially during child viewing hours. And I've never heard complaints by citizens of those democratic countries that their rights have been violated. If something doesn't give, we may have to institute some such monitoring by government agencies here in the U.S.A. If the industry does not police itself then there is left only the prospect of official censorship, distasteful as this may be to many of us. However, as stated previously, youth violence is a public health problem. Media violence is one of the causes, and drastic steps that we do not favor may have to be taken to curb the epidemic.

Senator SIMON. We thank you.

Dr. Dietz?

STATEMENT OF DR. WILLIAM H. DIETZ

Dr. DIETZ. Mr. Chairman, subcommittee members, it is a great pleasure to be here. My name is William Dietz. I am an associate professor of pediatrics at Tufts University School of Medicine and a member of the American Academy of Pediatric's Committee on Communications. It is an honor for me to be invited to discuss the academy's concerns about televised violence and its effects on children, and we applaud your decision to hold this oversight hearing today to consider this critical issue.

The epidemic violence in the United States makes it one of the most important causes of injury and death in children and adolescents. One of every four deaths in teenagers and young adults was by a firearm. From 1985 to 1990, the total firearm mortality rate in African-American teenagers doubled, and it now constitutes the leading cause of death in this ethnic group.

Therefore, in terms of overall childhood morbidity and mortality, violence is a problem that is as important as any of those before us on the national agenda. None of us in this room, I think, hold television responsible as the only origin of violence, but because children learn from what they see, it should surprise no one that the violence on television provokes violent or aggressive behavior in children.

The absence of consequences of televised violence, the rapid resolution of conflict that children see on television using violence, increases the likelihood that violence will be among the first options that children select to solve problems, rather than the last.

Also, the rewards that heroes receive for their violent behavior legitimize and tacitly endorse violence as a means of solving problems. Finally, the frequency with which children view violence and the lack of long-term consequences for the victims of violence desensitizes children and makes them more passive to acts of violence and less likely to intervene when violence occurs.

Several alternatives may help to reverse the effects of televised violence on children. As you know, Congressman Markey has initiated discussions to promote hardware and a rating system that would allow parents to program their televisions to exclude violent programs or advertisements that promote such programs.

The academy supports all efforts to provide parents with the information they need to make television viewing choices for their children. However, one of the most important limitations of this rating system is that cartoons would not likely be designated as violence. However, the violence shown on cartoons is among the most frequently violent, the least consequential, and is often portrayed as humorous. These represent the wrong messages about violence. In fact, I think the academy's feeling is that the ratings systems should apply equally to cartoons as well as the more graphic violence on prime time. In addition, a rating system may have a paradoxical effect of encouraging the viewing of programs that the label is designed to limit.

Second, the development and promotion by broadcasters of alternative strategies to resolve confrontation, as well as alterations in the frequency and characterization of violence could serve our society well.

A third strategy is to develop curricula to educate children about the effects of television. The academy has repeatedly argued that television in the United States constitutes a major health hazard for children. Furthermore, curricula aimed at reducing the effects of televised violence on the aggressive behavior of children are effective, as Dr. Huesmann, a colleague of Dr. Eron, has shown. Therefore, media literacy rightfully belongs in the health curricula directed at our children.

None of these alternatives reduce the need for additional responsible actions by broadcasters. Three trends should encourage them to act. First, no one is exempt in our society from the need to address the violence that is now rampant.

Second, review of the Nielson ratings since 1983 indicates that the declines in ratings for general drama and suspense mystery drama programs which contain most of the violence shown in prime time—the declines in those programs have been almost three-fold that of the declines in the viewership of situation comedies. These findings suggest that an alternative explanation for the decline in viewership is that the American consumer has overdosed on televised violence and sex, and is now choosing to watch less television.

Third, there is no indication as yet that the broadcasters have acted responsibly to limit the violent programming they portray. In

response to your bill, Senator Simon, the networks did produce the joint Network Standards on Televised Violence, but these standards, in fact, don't say very much more than the old standards under the NAB code. They do not address the frequency of violence, they do not address its consequences, and they do not alter the tacit endorsement inherent in how violence is portrayed. Until that happens, the effects of televised violence on children's behavior will persist.

Finally, the academy agrees with the first amendment concerns that have been expressed regarding standards for the frequency or manner in which violence is portrayed on television. However, speech that is libelous, obscene or incites to violence is not protected by the first amendment. Throughout the Supreme Court's decisions regarding pornography, for example, there appear two consistent themes.

The first is that the Court consistently recognizes that exposure of adolescents to prurient material should be restricted. Second, the Court has held that, where public safety is concerned, there exists a legitimate right of the State to limit speech, such as obscenity. The scientific data that linked televised violence to the behavior of children are considerably stronger than the data that linked pornography or obscene speech to sexual crimes. It is clear that we should be as concerned about violent behavior as we are about dirty words and reputations. Finally, holding broadcasters responsible for the portrayals of televised violence represents an essential step in the reduction of violence in our society.

On behalf of children and parents, thank you again for your efforts to reduce televised violence. The American Academy of Pediatrics stands ready to work with you on this critical issue.

[The prepared statement of Dr. Dietz follows:]

PREPARED STATEMENT OF WILLIAM H. DIETZ, M.D., PH.D.

Mr. Chairman, my name is William H. Dietz, M.D. I am a pediatrician at the New England Medical Center, a member of the American Academy of Pediatric's Committee on Communications, and chair of the Academy's Subcommittee on Children and Television. The Academy represents over 45,000 pediatricians in the United States who care and advocate for the health and well-being of infants, children and adolescents. Since 1956, the Academy has been concerned about television and its affects on children.

The Academy is also pleased to be part of the Citizen's Task Force on Violence, which was convened by Senator Kent Conrad, to urge the television, cable, and motion picture industries to reduce the amount of violence in the television and entertainment industries.

It is an honor for me to be invited to discuss the Academy's concerns regarding the effects of television violence on children. We applaud your commitment to children and youth by holding this oversight hearing today on the implementation of the Television Violence Act of 1990. That important law granted the broadcasting industry three years to meet and discuss ways to reduce the amount of violence shown on television without fear of breaking antitrust laws.

The epidemic of violence in the United States is one of the frequent causes of injury and death among children and adolescents. For example, in 1990, one of every eight deaths among children aged 10–14 years was caused by a shooting. Among teenagers and young adults, one of every four deaths was caused by a firearm. Shooting deaths accounted for 60 percent of all deaths among black teenagers aged 15–19 years. From 1985–1990 the total firearm death rate for African American teenagers doubled. Therefore, in terms of overall childhood morbidity and mortality, violence is a problem that is as important as any of those before us on the national agenda.

The violence in our society is driven by a variety of complex factors, including drugs, poverty, and violence in the home. Given the epidemic of violence that is

upon us, it may be reasonable to ask where children acquire their information about problem solving, and why violence is the first rather than the last alternative selected.

Although none of us hold television solely responsible for violence in our society, any discussion of violence in the United States must consider the influence of television. We believe that televised violence has a clear and reproducible effect on the behavior of children, that televised violence contributes to the climate in which we live, the frequency with which violence is used to resolve conflict, and the passivity with which violence is perceived.

Because children learn from what they see, it should surprise no one that the violence on television clearly provokes violent or aggressive behavior in children. The absence of consequences of the violence that they see, and the rapidity with which difficulties are resolved by the use of violence, increase the likelihood that violence will be among the first strategies that a child selects, rather than the last. Also, the rewards that the heroes receive for their violent behavior legitimize and tacitly endorse violence as a means of solving problems. Finally, the frequency with which children view violence, and the lack of long-term consequences for the victims of violence, desensitizes children and makes them more passive to acts of violence and less likely to intervene when violence occurs.

Both parents and broadcasters must be held responsible for the television that children see. Many pediatricians now include counseling parents about the effects of television on children as part of their annual visit. Furthermore, we urge parents to limit the amount of television that their children view, to monitor what their children are watching, and to watch television with their children to help them learn from what they see. However, even the most responsible parent has difficulty finding programs that are suitable for young children. For parents, the only two alternatives that now exist are either to allow their children to watch television and be exposed to violence, or to turn the television off.

To provide parents with alternative viewing choices for their children, the American Academy of Pediatrics strongly supported The Children's Television Act of 1990. This law mandated that the broadcaster must provide programs of educational and informational benefit to children as a condition of license renewal, but a time requirement was not specified in the law. We believe this mandate is one of the most significant advances in children's television in the last decade. However, industry compliance with the bill's mandate has been limited. To help parents to fulfill their responsibilities to their children, the Academy believes that broadcasters should now be required to provide one hour a day of programs of educational and instructional programming for children. Although cable television provides some of these alternatives, even the most optimistic estimates suggest that 40 percent of the population cannot afford this option.

It is unfortunate that violence is part of the fabric of America. In most other countries the content of programming for children is carefully designed to limit their exposure to themes felt to have an adverse effect on development. In Japan, for instance, televised violence occurs with a frequency comparable to the United States. However, television violence in Japan tends to be portrayed more realistically and the consequences are emphasized. The villains use violence more than the heroes, and beloved heroes suffer the consequences. Such portrayals are much more likely to provide children with an aversion to violence, and reduce the likelihood that violence will be the first strategy they adopt to resolve conflict.

Several alternatives have been discussed recently which may help to reverse the effects of televised violence on children. First, legislation is being considered in this session of Congress which would implement a rating system for violent programs. Also, Congressman Markey has initiated discussions to promote hardware that would allow parents to program their televisions to exclude violent programs or advertisements that promote such programs. The AAP supports efforts that provide parents the information they need to make television viewing choices for their children. However, we would urge that cartoons be rated as well as the prime-time programs. Cartoons often contain the most frequent and extreme violence shown on television, yet it is portrayed as humor with no visible affect on the victim. These programs present the wrong messages about violence. We are also concerned that the rating system may have the paradoxical effect of encouraging the viewing that the label is designed to limit.

Second, the Japanese experience suggests that the development and promotion by broadcasters of alternative strategies to resolve conflicts, as well as alterations in the frequency and characterization of violence, could serve our society well. These approaches represent viable alternatives to those now portrayed by the writers, directors, and producers of the material aimed at children and deserve support.

A third alternative to consider is the creation of a national curriculum to educate children about the effects television can have on their physical and emotional health. Several bills have been introduced in this session of Congress that seek to create a national uniform school curricula, which include a health education curriculum that begins in kindergarten. As the data above indicate, and as the Academy has repeatedly argued, television in the United States constitutes a major health hazard for children. Furthermore, curricula directed at reducing the effects of televised violence on the aggressive behavior of children are effective. Therefore, media literacy rightfully belongs in the health curricula directed at our children.

The National Association of Broadcasters (NAB) used to have standards for what was shown on television with respect to violence. However, in 1984 a U.S. Court of Appeals ruled that the Federal Communications Commission (FCC) guidelines were unconstitutional—that the guidelines were in effect a restraint of trade by the major broadcasters. Unfortunately, the FCC's 1984 television deregulation order was enacted without significant analysis of its impact on children. The Television Violence Act that you introduced, Senator Simon, which was enacted in 1990, exempts the networks from this provision of the antitrust laws so that networks *can meet to discuss* regulating the violence on children's television. Sadly, for our children, the broadcasters did not take advantage of this unique opportunity for over two years—not until congressional attention was again focused in their direction. We can only speculate at this point at the positive impact that a lessened level of violent television may have had on our society these past few years.

The Television Violence Act allows broadcasters an opportunity to be a part of the solution in curbing the amount of violence on television by allowing them to develop voluntary guidelines on violence without fear of breaking antitrust laws. We hope that this hearing will encourage broadcasters to act responsibly.

None of the alternatives outlined above reduce the need for additional responsible activities by broadcasters—no one is exempt from the need to address the violence now rampant in our society. But the following should encourage them to act. 1) Review of the Nielson ratings for program categories since 1983 indicates that the decline in ratings for general drama and suspense/mystery drama have been almost three times greater than the decline in ratings for situation comedies. Although broadcasters have repeatedly questioned the accuracy of the ratings or blame the lure of cable alternatives to account for the decline of viewers to their programs, these findings suggest that an alternative explanation for the decline in viewers may be that the American consumer has overdosed on televised violence and sex, and is now choosing to watch less television. 2) There is no indication that broadcasters have acted responsibly to limit the violent programming. In response to the Television Violence Act, the networks produced "Joint Network Standards on TV Violence." These standards limit gratuitous or excessive violence, glamorous depictions of violence, scenes showing excessive physical suffering, ingenious means of inflicting pain, portrayals of behavior that invite imitation by children, or portrayals that are unduly frightening to children. These are much the same standards that were in effect under the old NAB code. Furthermore, the standards do not address the frequency of violence, its consequences, or the tacit endorsement inherent in how violence is portrayed. Reduction of the effects of televised violence on children will not occur until these characteristics are addressed.

The Academy agrees with the First Amendment concerns that have been expressed regarding standards for the frequency or manner in which violence is portrayed on television. However, we also recognize that not all speech is protected by the First Amendment. Throughout the Supreme Court's decisions regarding pornography there appear two consistent themes. The first is that the Court's decisions recognize that the exposure of adolescents to prurient material represents an important concern. Second, the Court has held that where public safety is concerned, there exists a legitimate right of the state to limit speech, such as obscenity. The scientific data that link televised violence to the behavior of children are considerably stronger than the data that link pornography or obscene speech to sexual crimes. Shouldn't we be as concerned about violent behavior as we are about dirty words or reputations?

Artistic license does not absolve writers, producers, and broadcasters of the responsibility to address this problem. The Communications Act declares that broadcast airwaves belong to the American public. Broadcast licenses cede "free and exclusive use" of the airwaves for a fixed period of time, but in return they are required to serve the "public interest, convenience, and necessity." The Academy contends that the *de facto* promotion of violence on and by television is not in the public interest.

The Academy supports an extension of the Television Violence Act to allow the networks to continue their discussion of the effects of violence on television. Holding broadcasters responsible for their portrayals of televised violence represents an essential step in the reduction of violence in our society. On behalf of children and parents, thank you again for your efforts to reduce televised violence. The American Academy of Pediatrics stands ready to work with you on this vital issue.

Senator SIMON. Thank you. Dr. Dietz, you heard Dr. Eron say there is no question anymore about the relationship between violence in the media and violence in our society. Do you agree with that?

Dr. DIETZ. I think there is no question in that regard. The only people that seem to have persistent questions about those data are the television industry, and their studies are the only studies that don't show an effect.

Senator SIMON. It is a little bit like the cigarette industry, the evidence being overwhelming, the cigarette industry being the only people who suggest there isn't some relationship between cigarette smoking and harm to your health.

Dr. DIETZ. I think that is an apt analogy. The criteria used by the Surgeon General in the Surgeon General's report to link cigarette smoking to cancer also applied to the linkage of violent or aggressive behavior of televised violence to violent or aggressive behavior in children. There is a consistent effect. It is a very strong statistical effect. It persists after a variety of other factors are controlled. There is a temporal relationship and a dose response; that is, the more televised violence a child sees, the more likely they are to exercise violent or aggressive behavior.

So I think a clear argument can be made that viewing televised violence causes violent or aggressive behavior in children. It is not the only cause, but it is one of the most controllable ones.

Senator SIMON. There is a well-known program produced in this country for young people. They produce two versions. One version is the violent version that is shown in this country; the other is the nonviolent version which is shown in all the other countries of the world. Does that suggest to you, Dr. Eron, that something is wrong?

Mr. ERON. Yes; it shows that other countries seem to be concerned about this and they do not permit the type of violence that we have here that we are showing to our children daily in their countries. I think it is kind of ironic that we produce these films here, these programs here. They go to other countries in a different form than we actually show them here. The industry is saying that we in this country need this kind of violent entertainment. It is not acceptable in the other countries, so we will comply with their needs, and continue to say that what we need here is more and more violence. They cannot see why they should temper their programs here.

I would like to reinforce something Dr. Dietz has said, and it was brought about by Mr. Cohen's comment that we really don't know from correlational data which is cause and which effect. That is not true anymore. We do know from correlational data, especially when the correlations are taken over time.

For example, in our own studies we found that young children who are aggressive at age 8 but were not watching violent television—by the time they were age 30, they were much less aggres-

sive than youngsters who were low-aggressive at age 8, but were watching high-violent television. The high-violence viewers had more convictions for serious crimes. They were more abusive toward their spouses. They had more aggressive children.

When you can compare two different measures taken over time, you do get a good handle on which is cause and which effect. I don't think there is any doubt anymore that there is a causal effect here.

Senator SIMON. Senator Kohl, the cochair of this hearing.

Senator KOHL. Thank you very much, Senator Simon. I would like to just explore with both of you for a minute what is happening here. Why are we not taking care of our children, and why are the studios able to win out? What is going on?

Dr. DIETZ. I am puzzled by that. Surely, the industry is aware of the change in the Nielson ratings, although I have not seen any publicity to this effect. The industry has continually blamed the accuracy of the Nielson ratings or out-of-home viewing or cable for the decline in viewership for those programs.

But I think the alternate explanation which would be in their self-interest to consider is that the decline in viewership is attributable to disgust on the part of the American viewer. It is true that action and adventure shows sell advertising, but I am as confused by it as you are, given the kind of general revulsion that now exists regarding these programs.

Senator KOHL. Well, all the evidence now indicates incontrovertibly that the violence the kids are seeing on TV is very bad for them and for our society. All the evidence also indicates that the television studios are making money off of it. Isn't it also true that people in this industry are contributing a lot of money to politicians?

Mr. ERON. I can't say anything about that, but I know that the reason people do watch violence on television is there is not much else to watch. No matter what you watch, you are watching violence.

Senator KOHL. But why is it that nothing has happened in spite of the incontrovertible evidence? We hold hearings, we go on, we sort of stroke each other, we have another commission, we have another hearing, and so on and so on and so on, and nothing is happening; at least nothing is happening sufficient to really address the problem.

By all of our common consent—you are smart people. Do you think that one of the reasons might be because the people in this business have ways and means to influence the outcome that kids don't have?

Dr. DIETZ. I think that is a substantial point. Until, I think, the current administration there have been very few policy voices vocal on behalf of children, and I think that that has been true of the FCC, which is the logical place that this should be regulated.

I would hope that broadcasters remember, and that the FCC will take steps to remind them that their use of the airwaves is granted to them; that their use of the airwaves constitutes a public resource and it is therefore regulated or regulatable. I think that is where the teeth have to come on this particular issue.

Mr. ERON. There is now a petition before the FCC for rulemaking which will designate child viewing hours from 6 a.m. to 10 p.m. I

don't know what the status of that petition is. I know it is before the FCC now. I don't believe they have acted yet. When they do act, and if they do that, I think that will be a great step forward in controlling the amount of violence.

Senator KOHL. Thank you, Mr. Chairman.

Senator SIMON. I thank you, and unless there is objection by anyone on the committee, we are going to follow the good example of Senator Kohl and limit questions of committee members to 5 minutes.

Senator Cohen?

Senator COHEN. Thank you very much, Mr. Chairman. I think, Dr. Eron, you may have misconstrued my brief remarks in terms of whatever position I might have.

I saw a movie called "Grand Canyon" some time ago. I thought it was a wonderful movie: Steve Martin plays a rather nefarious character, who is producing rather gruesome, horrific movies showing graphic depictions of violence. He is accosted by a homeless person or some person looking for his money or his watch, and he offered him the keys to his car. That individual proceeded to shoot him in the leg, causing serious damage.

Then Steve Martin was totally reformed. Never again was he going to produce another movie showing violence. Of course, by the end of the movie he was back to his old tricks again, which reminded me of a slightly revised phrase, money talks and civility walks, in this particular case.

Mr. ERON. I think we have been skirting around that here.

Senator COHEN. I reject the notion that somehow the reason there has been a failure to take any action on the part of politicians is that somehow they have been corrupted by the movie industry; that that is what has been the inhibition.

Everyone on this committee, including the witnesses, say we have got to be careful in terms of how we approach this subject matter with the Government looming as a giant specter intruding upon something that the American people prize very dearly called the first amendment. There are limitations to the first amendment. We all understand that.

We can cite other countries. We can cite Germany, we could cite Israel, we could cite a host of other countries which have a very different interpretation of what freedom of speech means. So we have to come to grips with are we willing to impose curbs upon the first amendment. It is not a matter of someone buying off politicians, but rather coming to grips, it seems to me, with either imposing restrictions in a very clear fashion on the first amendment or not. That is not merely a case of politicians being unduly influenced by the movie industry.

Senator Levin indicated that he saw an ad with a man pleading for his life and being shot to death. I noticed in the paper, for example, there was an item today of a young boy running away from two other, I assume, teenagers, pleading for his life. He was shot to death over something, I think, as insignificant as a leather jacket.

Now, we can get into a Socratic dialog as to whether the TV program was a mirror of life or whether life was mirroring the movies, but I would suggest to you my own opinion is that it is a case of

res ipsa loquitur, that wonderful Latin phrase meaning the thing speaks for itself. You may recall Henry Thoreau said a nice translation of that is when someone finds a trout in his milk, the evidence is pretty incontrovertible, and I think that is the situation here.

But I would like to know, Dr. Eron, if you can give a specific example of a child committing a criminal act following viewing of television violence. People want specifics. Can we give specifics, or is this a matter of, as I have indicated, res ipsa loquitur, the thing speaks for itself? That is that there is such an accumulation of statistical information that it precludes any other rational judgment?

Mr. ERON. I would agree with that. I really do not have a specific case that I can tell you about, primarily because all the data we have are confidential, which is one reason. The other is that most of our data are group statistics.

I know very often I have been solicited by defense lawyers in criminal cases asking me to testify to the fact that it was the television violence that instigated a youngster or an adult, for that matter, to act in a certain way, and I have never been able to accept that kind of assignment because I don't think, in individual cases, you can—I think everybody is responsible for his behavior, no matter what the cause. But I don't think there is any doubt anymore, as we have all said, that there is a causal link here.

Senator COHEN. Let me pose just one final question. In 1984, this subcommittee held a hearing and one of the witnesses cited your writings in his statement. It was pointed out that you believed there was probably an intermediate variable involved, such as the harshness of a child's family life. Is that still a factor, in your judgment?

Mr. ERON. Oh, yes; not all children are affected equally. Some children are more affected than others. Some have many protective factors that keep the effect of television violence minimal. For example, parents who communicate with their children, who watch television with their children and explain to them that this is really not life, and who give them other kinds of support—those children are not as affected.

But my point is, however, that it is not just a parental responsibility. Not all parents can be with their children all the time, with single-parent families, working mothers, and so on. The TV industry has a responsibility. It is not just the responsibility of parents. Dr. Dietz gave a number of instances or ways in which parents can intervene to mitigate this effect, but I don't think we can just hold parents responsible. I think we have to hold, also, the television industry responsible.

Senator COHEN. Thank you. My time is up. Thank you, Mr. Chairman.

Senator SIMON. Senator Moseley-Braun?

Senator MOSELEY-BRAUN. Thank you very much, Mr. Chairman. I would like to focus in a little bit and ask some questions going to the industry aspect of all of this, and ask you whether there have been any studies done with regard to the amount of advertising dollars—how much money is spent in connection with media violence. Do we have any idea how much?

Mr. ERON. I don't have any such data. I don't know.

Dr. DIETZ. I am not aware of any such data either, except to add that the money in children's advertising on children's television is the most rapidly increasing part of local stations' budgets. It is increasing at about 20 percent a year, and that is for cartoons, which are one of the most violent types of programming and the one to which young children are most exposed and most susceptible.

Senator MOSELEY-BRAUN. Have we any idea, or do you know how much of the advertising money—let me presume for a moment that we are talking millions of dollars. Again, I have no idea. That is why I asked you the question if there were any studies. If you could look around and see if you could find some, I would appreciate it.

Do we know how much of this advertising money can be deducted as business expenses in terms of the corporate taxes?

Dr. DIETZ. I think most of it, is my understanding.

Senator MOSELEY-BRAUN. Most or all?

Dr. DIETZ. I don't know the definitive answer. Most of the money, I think, comes out of the marketing and advertising budget and is a deductible business expense.

Senator MOSELEY-BRAUN. Has there been any discussion, again, with regard to the advocates of the use of the Tax Code to limit tax deductions for the business expenses relating to gratuitous media violence?

Dr. DIETZ. That discussion hasn't come as much from the advocates for children's television as it has from Representatives on Congressman Markey's committee who have mentioned that as a possible recourse.

Senator MOSELEY-BRAUN. Mr. Chairman, if you would, I would like very much to encourage the witnesses if they can provide us, and particularly with regard to the next panel, which I understand will be the industry panel—to take a look, again, at the finances. How does the money work to finance the kind of gratuitous media violence that we are talking about?

If, indeed, there is consensus that this kind of gratuitous violence hurts our society, and insofar as the Tax Code inevitably is used to enforce societal goals, it seems to me that we might want to take a look at whether or not the taxpayers who are complaining about TV violence and the effect on children are, in fact, subsidizing it because any time we allow a deduction for advertising expenses that supports this, then that becomes for all intents and purposes a subsidy. I think we might want to take a look, Mr. Chairman, at how the money works in regard to this aspect of the industry support for media violence.

Thank you.

Senator SIMON. Thank you.

Senator Pressler?

Senator PRESSLER. Thank you very much. I have one question that I have framed regarding gratuitous violence. I know that we are all against it on TV and we express great indignation when it appears. But the first part of my question concerns your reaction to the marketplace success of movies which feature gratuitous violence.

As I indicated in my opening statement, I think one of the leading box office movies this summer has a lot of that in it. People

vote with their feet and with their dollars. There is a great appetite for violence in movies, apparently. Is this inconsistent with what we are saying here? That is the first question. What does the marketplace, when it is tested, say about gratuitous violence in movies?

My second question concerns violence not in movies but in reality. I have just completed a review of the shelters for women in my State of South Dakota. We have a low crime rate in South Dakota, but we had an incident where a man beat his wife and children and they went into a shelter. Eventually, they went back to him and he killed them and himself. It was a story that has had quite an impact in my State.

I have become a cosponsor of the Violence Against Women Act of 1993. I don't normally sponsor bills that have more Federal spending and more Federal control in them, but really there is a lot of violence in our society that is not criminally related, and I was shocked at the level of it. This is reality. Where do we draw the line here?

What might seem to be gratuitous violence in some movies or on TV actually happens in a lot of places. I cite the violence against women and children that I have had occasion in my State to talk to a lot of people about in the last couple of weeks.

So these are my two questions: First, how do you deal with the marketplace indication that there is a great appetite for violence in movies when people actually vote with their dollars? Second, how do we deal with the fact that there is violence in reality, not just in the movies, for example, violence against women and children, even in places that have low crime rates?

Mr. ERON. Violence supposedly is a moneymaker and people are attracted to it. My own feeling is that it is not the violence that people are attracted to, but it is the activity level, things going on, and it is very cheap to have activity when you use violence. It is harder, and you have to be more creative, to think up ways of having activity without having it be violent, but it can be done.

Certainly, as regards your second question, there is the presence of spousal abuse, child abuse, within the family. I am not so sure, however, that this is the same thing as some of the gratuitous violence we see on television and in the media, in general, where the violence really has very little to do with the plot. It is really not necessary; it is an overload in order to attract people's attention.

Certainly, this is a problem, and the more, I think, that it gets aired in our media, the better. I am not against portrayals of realistic situations like those that exist in families where there is abuse. I think that should be given lots of publicity, but I don't think it should be overdone in terms of the gratuitous amount of violence.

Dr. DIETZ. I think that from the academy's perspective, a distinction has to be drawn between programming directed at children and programming or movies directed at adults. Children don't process what they see on a television in a cognitive fashion. They process it visually, which is why the curricula aimed at educating children about the effects of television and how television is made have such promise for changing their perceptions of television and the effects that television has on them.

I think that certainly the academy does not feel that the marketplace for adults should be restricted in any way. What we are concerned about is the effects on children, and that, I think, relates to your second question that that steady diet of televised violence lowers the threshold for violent behavior in adolescence and adulthood, and that the promise of controls or reductions in violence and how it is portrayed in television aimed at children may have some beneficial effects on adults.

The other important example that I think may be helpful to raise is that in Japan televised violence occurs as frequently on television as it does in the United States, but the characteristics of the violence that is portrayed are substantially different. Violence has long-term adverse consequences as it is shown on Japanese television, and villains practice violence more than heroes.

I think that those messages to children are that violence is a negative force for solving problems rather than a positive force, and it, in fact, removes the tacit endorsement that exists for violence as it is currently portrayed in programming here.

Senator SIMON. We have been joined by Senator Brown of Colorado.

Senator BROWN. Thank you, Mr. Chairman. Mr. Dietz, I noticed in your paper you note that the courts have already recognized limitations on the right of free speech. You point out the areas of libelous speech, obscenity, and inciting violence.

My impression is that the libel laws already apply to television and movies, and that some restrictions on obscenity also already apply. The incitement to violence, I think, is present, I assume, in some criminal laws and perhaps some others, but that may well already apply. Specifically, what restrictions on communication through these media are you suggesting that goes beyond these areas?

Dr. DIETZ. I am not suggesting, nor is the academy suggesting that speech on television programs be subject to the same restrictions, but I would like to point out that there is far greater evidence that violent programming aimed at children has a consequence on behavior than their exposure to pornographic speech. I think the FCC has a long history of regulating pornographic speech, most recently the Howard Stern case in New York.

Senator BROWN. What I was trying to get at was not that. I mean, I think you have made that point, and obviously there is some debate on that, but I think you have made a very good case in that area. What I was trying to elicit from you is what kind of guidance you can give the committee for where the line ought to be drawn, where we ought to have government regulate the communication of ideas.

Dr. DIETZ. I think that government regulation can only apply after voluntary standards have failed, and I am not sure that we are at that point yet. I think that Senator Simon's activities in this issue, his conversations with broadcasters and the movement which he suggests is going to be forthcoming, may begin to address the problem.

We are not calling for additional regulation at this point, but I think it is critical that broadcasters get out from behind the first

amendment when it comes to children and public safety. I think that is the—

Senator BROWN. Your focus at this point is on voluntary activity?

Dr. DIETZ. That is correct.

Senator BROWN. Let me ask, with regard to the violence that is on TV that I think all of us have expressed a concern about and share a concern about, do you believe that is driven because of the demands of the marketplace, because the consumers want it, or do you think it expresses an illogic or perverted viewpoint on the people who provide it?

Dr. DIETZ. Well, the industry has always claimed that its programming is driven by the marketplace, but there are numerous examples where the dogma that the industry claims drives their marketing has been proved wrong. The most notable example is "The Cosby Show," which was shopped from network to network for several years before it was accepted as a show and became one of the most popular programs ever shown on network television.

Senator BROWN. If that is the case, if the market is not what drives this or the market doesn't reward it, does that mean that the market will, in effect, correct this?

Dr. DIETZ. I tried to suggest in my testimony that the marketplace may already be moving in that direction; that the decline in prime time programming that includes violence and a lot of sex—that the decline in viewership of that programming is much more substantial than it is for situation comedies. So I would argue that at least one explanation for that decline is that the marketplace is already making that correction.

Senator BROWN. Thank you. Thank you, Mr. Chairman.

Senator SIMON. If the Chair could just comment on two aspects of what has been mentioned, Senator Cohen asked a question about specifics. Two or three weeks ago, there was shown on one of our networks a murder that started in the State of Nebraska, and it was one of these docu-dramas. It was replicated by someone who saw it in Canada, and there are a number of such instances that can be cited.

You had one show some years ago where, included in the movie that was shown on network TV, was a young man committing suicide, and after that happened 27 young men around the Nation committed suicide in the same way. So, in addition to the statistical evidence of what happens, there are individual cases.

Then the second argument on the marketplace that you mentioned, Senator Pressler—the reality is we don't say, for example, using an extreme example of hard drugs, the marketplace shows demand, therefore we are going to satisfy the marketplace. We have higher standards than simply what the marketplace provides, and in some way when we see harm we have to have a standard that is higher than simply the bottom line of what makes money, and I hope we are moving in that direction.

We thank you both for your testimony.

We will call on our next panel: Jack Valenti, the highly respected president of the Motion Picture Association of America; Leslie Moonves, the president of Lorimar Television Co.; Kerry McCluggage, chairman of the Television Group of Paramount Pictures; and Ned Nalle, executive vice president, Universal Tele-

vision. We will start the panel. We have scheduled at 11:30 two back-to-back votes, so we will start the panel, probably hear the first two witnesses, and then recess for 15 minutes.

Jack Valenti, we welcome you back here once again.

PANEL CONSISTING OF JACK VALENTI, PRESIDENT AND CHIEF EXECUTIVE OFFICER, MOTION PICTURE ASSOCIATION OF AMERICA; LESLIE MOONVES, PRESIDENT, LORIMAR TELEVISION; KERRY McCLUGGAGE, CHAIRMAN, PARAMOUNT TELEVISION GROUP; AND NED NALLE, EXECUTIVE VICE PRESIDENT, UNIVERSAL TELEVISION

STATEMENT OF JACK VALENTI

Mr. VALENTI. Senator Simon and Senator Kohl, I thank you and your colleagues for inviting me here, and I am glad to speak with you.

Let me state at the beginning my response to this hearing. I agree with Senator Simon and Senator Kohl that there is some gratuitous violence in some television programs. I believe that. I also believe that creative broadcasters and creative programmers have a responsibility to their fellow citizens in this free and loving land to try as best we can to expunge and eliminate gratuitous violence wherever it appears in any of our programs. But I also believe that the great majority of the most popular television shows in America are not violent, and I can certify that to you in the question period.

What is not debatable is that we live in a violent society, born in violence, worn by violence, stretching back through the history of this country. Violence lives like a twanging scarlet wire, and long before there was an electronic box in millions of American homes, there was violence, a vast inhumanity slouching toward us across the centuries. We know that.

So I tell you quite frankly, I refuse to believe that all the cruelties visited upon this society are caused by television. If television is the dominant cause of crime and violence in this society, why is it that so many millions of youngsters go from youth to manhood and womanhood with their values intact, their integrity preserved, and their grasp of right and wrong firmly in place?

However—and there always is a “however”—if America’s trajectory is faltering, if the assumed social normalities are out of joint, maybe just perhaps there are some darker menaces intruding on church, school, and home which form the rostrum on which sits and rests the standards by which we live.

So I am saying to you in too many American cities today there is a collection of dangers that has nothing to do with what is on television. Let me cite a few—broken homes, one-parent households, drug abuse, abandonment of church, schools without discipline, lives without hope, misery a daily companion, and I might add—and I think this is important—anger fed by imagined slights and bigoted blights.

There are mysterious mental disconnects—Senator Pressler cited one—that connect to a confused blame that unleashes rage that causes a man or woman to kill their family, kill their friends, and even unknown faces in the crowd, and all inflamed, I might add, by a vast and limitless supply of weapons. How on Earth are we

going to cure and expunge violence in the real society when there is a limitless supply of guns of all sizes, muzzle velocity, and killing qualities?

With all respect and affection, I ask this question. Does the Congress intend to brave this issue and once and for all say emphatically, legislatively, clearly, the party is over, folks, no more guns, no more weapons of bazaars—out of the homes, out of the neighborhoods, off the streets? I put that to you.

Now, I might add that I travel around the country a lot and I watch a lot of local television shows, and I am telling you that it is ironic that these local TV shows are illuminated increasingly by car-jackings and rape and murder, live as it happens, all drenched in the garments of hot news stories. We all see this. Query: How do you deal with real crime in the streets and on the news?

Moreover, I think we ought to examine where is the distinguishing line beyond which there is too much gratuitous violence or gratuitous violence, and before which there is allowable violence. Who draws that line, Senator? How is that line defined? I might add, how does one sort out violence which is totally unnecessary and that violence which is part of a story, a story which illuminates the fact that violence, morally certain, is not only wrong, but it is unrewarding?

So let me now come back in to say I totally agree with you, Senator Simon, and I am really, I think, grateful as a citizen, not as a part of the movie industry, that you and Senator Kohl are pursuing this interest. I believe that the issue of gratuitous violence has to be confronted wherever it is found, and therefore I want to tell you that MPAA intends to take this issue seriously. I intend to take it seriously.

On behalf of MPAA, I intend to call a series of meetings over the next several months with members of the directors guild, the writers guild, the actors guild, with producers, with studio film development chiefs and their associates, with talent agencies, with non-MPAA companies, by inviting all of those who are stakeholders in America's preeminent export industry to sit down and together talk through this issue.

Now, what are we going to discuss? We are going to discuss how the creative community and those connected with it can retain the impact of dramatic narrative, as some of we would-be novelists know about it, and at the same time be ceaselessly sensitive to the picturing of violence. We will discuss how can we be creatively resourceful enough to attract audiences, Senator Moseley-Braun, and excite audiences, and at the same time expunge wherever we find it the use of gratuitous violence to make a point.

Now, I think we can pacify those scenes which lay claim to violence, if we think hard about it, but the creative community has to do this, no one else. A creative storyteller in this land, believe me, tells the story the way he or she chooses and the only coercion constitutionally available to force a change in that choice lies with in the individual creator and no one else.

Now, in conclusion—the happiest two words anybody ever said before a congressional committee—the movie and TV industry, Senator, has risen to challenge before. Senator Simon alluded to some of this. We did it some years ago in draining from our programs

the appearance and the use of drugs. We did it again in elevating the depiction of minorities in our stories. We did it again to contain smoking and alcohol. We did it again in promoting seatbelt use in many of our stories. We did it again by inserting designated driver themes in many of our series.

Now, the creative community did this on their own, with no force compelling them on, for they would have rightly resisted that. They did it, though, because they believed it was right to do. So I tell you that we intend to rise to challenge again, and that, sir, is my pledge to you and this committee.

[The prepared statement of Mr. Valenti follows:]

PREPARED STATEMENT OF JACK VALENTI ON BEHALF OF THE MOTION PICTURE ASSOCIATION OF AMERICA

Let me state, up front, my response to this hearing. I agree with Senator Simon that there is some gratuitous violence in some TV programs. I believe that creative programmers and broadcasters have a responsibility to their fellow citizens and co-inhabiters of this free and loving land to try, as best we can, to reduce gratuitous violence wherever it exists in our programs. I also believe (and can certify) that the great majority of the most popular TV shows cannot be described as violent.

Whether or not there is ample, confirming scientific evidence that violence on a TV screen is the major villain begetting real violence in the real society can be debated. But we can agree that trying to soften and shrink gratuitous violence wherever it appears on TV is a worthy and even achievable aim.

What is not debatable is that we live in a violent society, born in violence, worn by violence. Stretching from the early birth years of this Republic, violence has run through our history like a twanging scarlet wire. In the cities, on the trails, within the neighborhoods, violence has thrived. And not just here, but elsewhere on this wracked and weary planet there were always wars of nationalism, imperialism, colonialism. Violence is older than memory. Long before there was an electronic box in the living room of millions of Americans, there was violence generated by religious intolerance, distorted piety, racial bigotry, violence emerging from ethnic quarreling, tribal discords and familial disputes which have all resulted in murder, assaults, genocide, fratricide, pillage, plunder; a vast inhumanity slouching toward us across the centuries. Unhappily, the guidebook to the nature of Man is brutish, lamentable, long, and unpretty.

The great bulk of this human folly occurred when television didn't exist. Like an inhospitable toxin, it endures today.

So I tell you frankly I refuse to believe that most of the cruelties visited on this Republic can be blamed on television. If TV is the sole, dominant cause of this societal fury, why is it that millions of youngsters in this nation grow to adulthood with their values intact, their integrity preserved and their grasp of right and wrong firmly in place?

Moreover, we simply have to understand, to slightly paraphrase Edmund Burke, you cannot indict an entire society called television. If America's trajectory is faltering, if the assumed social normalities are out of joint, perhaps there is some darker menace intruding on the family, school and church, the tri-stanchioned rostrum on which rests the standards by which we live. Academics and researchers who dig into the entrails of human behavior must surely find tangled threads of human discontent which has nothing to do with what is on television. In too many cities there are broken homes, one-parent households, lack of that affection which thickens the ties binding families together, drug abuse, abandonment of church, schools without discipline, lives without hope, squalid living conditions, misery a daily companion, anger fed by imagined slights and bigoted blights, mysterious mental disconnects which confuse the brain, triggering unleashed rage against friends, family, and unknown faces in the crowd, all inflamed by a limitless supply of available weapons. How on earth is violence in the real society to be expunged, or at the very least brought to tolerable levels, when there is no limit to guns of every size, muzzle velocity and killing qualities?

Does the Congress itself intend to brave this issue, and once and for all say, emphatically, clearly, legislatively, the party's over, folks, no more weapons bazaars, guns are gone, off the streets, out of the neighborhoods, and those who break the Congress' fiat will be dealt with speedily and sternly?

It is also true, though some who "count violent acts" on TV don't want to admit it, that much of what is exhibited on TV as entertainment cannot and ought not be identified as violent. (It may be hard to believe but these 'experts' classified the 25th anniversary show of Rowan & Martin's LAUGH-IN as too violent!) None of the top twenty-five most popular prime time TV programs can be described as 'violent,' although the self-anointed 'experts' would label them so. Of course, when some 200,000 hours and more of film and tape are exposed yearly, some of it will entice deserved criticism. Just as no man or woman is free of fault, or any political or business plan immune to failure, the same can be said for some movie/TV programs.

When one goes about trying to fix upon the location of gratuitous violence on TV, where do we look, and what do we look for? Entertainment stories told on film and tape, yes, some. Documentaries, yes, some. But also there is news. Travelling the country, I watch a lot of local news shows. It's a bit ironic that these local news shows are increasingly illuminated by car-jackings, rapes, murder, most of it 'live as it happens,' most of it in our neighborhoods, and all of it drenched in the garments of hot crime stories. We all see this. We all know it is intended to grab us by the eyeballs. It is mostly successful and during those time periods when children are watching. This gritty reality has to be faced. How do we deal with real violence in the news and on the screen?

Moreover, anytime one seizes the challenge of identifying and classifying gratuitous violence, there is understandable confusion which clamors for clarity. Where is the distinguishing line beyond which there is too much violence, and before which there is allowable violence? Who draws that line? How is it defined? Most importantly, how does one sort out violence which is unnecessary, and violence which is part of a story, those dramatic acts which illuminate the moral certainty that violence is wrong as well as unrewarding.

The law requires precision, a designed shape which can be measured else the law grows slack. The Supreme Court has abandoned its search for such rigor in trying to figure out what is this thing called 'pornography' and its homely sibling, 'obscenity.'

However, I agree that the issue of gratuitous violence on TV, wherever it is to be found, has to be confronted. The response of the MPAA to this ancient riddle (which has engaged philosophers, clerics, and inspectors of humankind's nature so fruitlessly for centuries) is not to try to point fingers but to thoughtfully examine how violence can be harnessed to an appropriate dramatic use.

The only sane, constitutionally healthy way to do that is for every element in the production-distribution-delivery system community to, voluntarily, persistently, individually, count this issue to be of passionate importance, and thereby worthy enough to take seriously.

Therefore, I can tell you that MPAA intends to take this issue seriously. On behalf of MPAA I intend to begin a series of meetings over the next several months with our colleagues—in the Directors Guild, Writers Guild, Actors Guild, with producers, studio film development executives, talent and literary agents, non-MPAA movie companies—by inviting all those who are stake holders in America's pre-eminent export industry to sit down and together talk through this issue.

We will discuss how the creative community and those who connect with it can retain the impact of dramatic narrative, and at the same time be ceaselessly sensitive to the picturing of violence? How can we in the film/TV industry, without disfiguring First Amendment rights, be so creatively resourceful that we are able to attract and excite audiences and at the same time try to pacify those scenes which lay claim to gratuitous violence? These are matters which do not fit within government or laws or Parliament-planted restrictions. A creative story-teller, in this land, tells a story the way he or she chooses and the only coercion constitutionally available to force a change in that choice is within the individual creator, and no one else. The First Amendment, the least ambiguous clause in the Constitution, is very clear on that point.

The movie/TV industry has risen to challenge before. We did it some years ago by joining together to drain from our programs the appearance and use of drugs. We did it again to contain smoking. Seldom do you see smoking on the screen as once you did years ago. We did it again by inserting the 'designated driver' theme in many of our series. We did it again by promoting seat belt use in our stories. The creative community did all this on their own, no compulsion urging them on, for they would have resisted that, and rightly so. They did it because they believed it was right to do.

We intend to rise to challenge again. That is my pledge to this Committee.

Senator SIMON. We thank you.

Mr. Moonves?

STATEMENT OF LESLIE MOONVES

Mr. MOONVES. Thank you. Chairman Simon, Chairman Kohl, members of the committee, it is an honor to appear before you today to share with you my thoughts about violence in television programming.

My name is Leslie Moonves and I am president of Lorimar Television, a major producer of television programming and a member of the Warner Brothers/Time Warner family. Lorimar is very proud of the shows we produce, which include "Full House," "I'll Fly Away," "Family Matters," "Hangin' With Mr. Cooper," and "Sisters." Next fall, as the number one supplier of network television programming, we will have 13 shows on the four television networks. Our sister company, Warner Brothers Television, is well known for shows like "Murphy Brown" and "Life Goes On."

TV violence is gaining increased public attention and scrutiny from policymakers, parents, academics, journalists, and others. We believe that this attention is deserved, and in some cases the criticism is, too. The "we" I refer includes players from every segment of the TV industry. Executives at the highest levels of broadcast, cable, and production companies understand that Congress and the public at large are concerned about the depiction of violence on TV and its relationship to violent behavior in the real world.

Let me assure you that the people who create and write and act in our shows are as concerned about the problems confronting our community as you are, but there are no simple answers to the problems that confront our society. We wish it were as simple as developing more wholesome television programming to curb drugs and violence in the community. However, we all know that the answers are far more complex than that.

The fact is that the shows that we produce generally send out extremely positive themes. Our story lines often involve typical family problems and conflicts, and the resolution of those conflicts. Violence is never portrayed positively to resolve conflicts in family situations. But the family has changed since the days of Ward and June Cleaver. The Cleaver family had different problems than the Cliff Huxtable family. One thing does remain the same. Families that get together to watch Lorimar shows and then talk about these shows will be able to benefit from the experience.

The entertainment industry is ready to work with the Congress and parents to try to do better. We constantly strive to improve our programming to make it more relevant, more entertaining, and to add to the quality of life of our viewers. But at the same time, we have to resist pressures that will make us think twice before exploring contemporary themes.

We cannot portray today's family without recognizing the fact that many end in divorce. Many homes are torn by substance abuse. Many of America's youth face the tensions of sexual activity at an early age. This is a complicated area. The fact that America is a free society makes this challenge especially daunting. Tough questions need answers. How do we protect our powerful first amendment values? What kind of shows are we talking about, and what is gratuitous violence?

So what can we do and what are we doing? As you mentioned earlier, Senator, America's TV industry is looking forward to Au-

gust 2, 1993, when we will have our conference in Los Angeles. For the first time, all the diverse segments of the industry will come together to discuss the portrayal of violence on TV. The goal is to heighten awareness of and sensitivity to this violence. We believe it will cause broadcast executives, writers, producers, and others to take a fresh look at the techniques they use to tell their stories.

At Warner Brothers, we recently announced the formation of a company-wide family entertainment banner, a new logo that will tell parents that the product so labeled is high-quality entertainment to be enjoyed by the whole family. Inspired by Warner Brothers' long history of popular media products for the enjoyment of children and families, this new identification will appear on film, video, television, animation, recorded music, consumer products, theme parks, live entertainment, and interactive media. We hope this new label will help parents find the programming they want.

We are a community which does respond to what are the important issues facing the society, and we are extremely responsive to public interest groups, working very closely with such groups as the Partnership for a Drug-Free America, the Center to Prevent Handgun Violence, and the Harvard University Alcohol Project.

What else can we do? As my friend and colleague, Jack Valenti, has testified, the MPAA will launch a program where the creative community will have regular meetings and seminars to discuss this issue. Heightened sensitivity among the artists who make TV shows will make a difference when they are deciding how to produce police stories and murder mysteries.

As Jack mentioned and, Senator Simon, as you mentioned in your opening remarks, we have had success on other fronts in the past, and as a result today you see little drug use, few cigarette smokers, and regular seatbelt use on all of our shows.

This is an extraordinary collaborative business involving the studios, writers, networks, and advertisers. We all must seek improved programming together. Last month, executives from the four major networks told this committee that they selected shows for the fall schedule with a weather eye on violence, and their standards departments will be more mindful of the content of individual shows. The networks and the studios review each script and each episode. We both regularly comment on aspects we think are out of bounds.

Let me tell you, your call has been heard loud and clear and a lot of eyes will be looking out for depictions of violence. We have made some progress. We must do more, and we will.

Thank you for this opportunity to appear before the committee.

Senator SIMON. We thank you very much. We do have the vote on now. We will take a 15-minute recess. My apologies to the next two witnesses.

[Recess.]

Senator SIMON. The hearing will resume, and our next witness is Mr. Kerry McCluggage.

STATEMENT OF KERRY McCLUGGAGE

Mr. MCCLUGGAGE. Mr. Chairman, members of the committee, good morning. My name is Kerry McCluggage and I am chairman of the Television Group of Paramount Pictures, a Paramount Com-

munications Co. Corporately, our interests span a broad range, from the development and exhibition of motion pictures to television production for network, cable, and first-run. From the USA and Sci-Fi Channel basic cable networks to local broadcasting in six U.S. cities, including WDCA 20 here in Washington, DC.

Paramount Television is proud to be a responsible member of America's entertainment media community. Our roots go back to the earliest days of American television, from such classics as "The Lucy Show" and "The Odd Couple" to the original "Star Trek" and "Mission Impossible." Today, we are continuing our tradition of producing top-quality programming.

For broadcast networks, Paramount produces the award-winning shows "Cheers" and "Brooklyn Bridge." We also produce for cable and independent stations, and helped pioneer a new generation of first-run syndicated programs, including "Entertainment Tonight" and "Star Trek: The Next Generation."

Mr. Chairman, we at Paramount share your concern for the welfare of our children. Through our sister company, Paramount Publishing, we are one of the Nation's leading producers of children's literature, textbooks, and multi-media and computer-based instructional materials for elementary, secondary, and preschool students. Knowing of your keen interest in literacy, let me also point out that Paramount has been in the forefront of advocating family literacy as an early supporter of Even Start.

But we come to you today primarily as program suppliers, representing men and women who creatively struggle to create entertainments that make you laugh or cry, experience an entire range of human emotions and, when at our best, illuminate the human condition. Unfortunately, television is not always at its best. Like business or politics or any other endeavor, sometimes the best-intentioned efforts fall short of realizing the high standards we must hold ourselves to.

As caretakers of a public trust, we at Paramount recognize the special care and attention that must be taken in the education and entertainment of our young children and, for that matter, all of society. We take this responsibility very seriously and strive to produce programming that does not contain gratuitous violence. Much of our current lineup consists of situation comedies like "Wings" or "Bob," or our new half hours debuting this fall, "Frasier" and "The Mommies."

Our first-run syndicated programming includes popular news and talk shows, such as "The Arsenio Hall Show," "The Maury Povich Show," and "Hard Copy." These genres of programming are for the most part inherently nonviolent, but we also produce 1-hour dramas that include action—"Star Trek: The Next Generation," "Star Trek: Deep Space Nine," and "The Untouchables."

Often, action is equated with gratuitous violence, and sometimes deservedly so. But I would suggest that when we examine the question of violence on television, it is important to look at the context of the violence being portrayed. Is it integral to the dramatic story being told? Is it presented as the only way to resolve conflict? Is the violence depicted as harmless or inconsequential? Are we portraying the dehumanizing aspect of violence on both the object and its perpetrator? These are but a few of the questions we ask

our producers and writers to honestly ask themselves when portraying any violent acts in our programs.

This process of self-examination or self-regulation is central to improving the quality of television. Mr. Chairman, I believe that the efforts of this committee are intended to encourage and expand that process. I know there is a great sense of frustration here in Washington that the entertainment industry is not moving fast enough or effectively enough to address the important issues of violence on television. But your committee members should be aware that there are ongoing efforts to heighten the sensitivities of the creative community to the impact and portrayal of violence, and further that these efforts are not merely the belated response to the threat of congressional action.

In addition to my responsibilities at Paramount, I am the board chairman of Paulist Productions, a nonprofit entity that, under the direction of Father Bud Kieser, also administers the prestigious Humanitas Awards, created to recognize excellence in portraying human values in television programs. The Humanitas Foundation has conducted intensive all-day seminars at the broadcast networks that specifically examine the depiction of violence in our medium. Father Kieser is conducting a similar seminar at our studio later this month.

As I hope you can see, Paramount takes its obligations to the viewing public very seriously. There are times when we have individually or collectively erred, but we are committed to continually fine-tuning our programming efforts to meet the highest standards of quality entertainment.

We are also cosponsoring and taking part in the August 2 west coast conference on television violence. This unprecedented gathering of researchers, first amendment experts, and executives and creators from a broad cross-section of the media should contribute a great deal to a better understanding of television violence and its impact on society. We are pleased you will be joining us, Mr. Chairman, and we look forward to seeing you then.

As others have already pointed out, the entertainment industry has been a responsive voice in other areas of social concern. In the early 1980's, we launched a successful effort to reduce the incidence of cigarette smoking in movies and in television. More recently, our creative community took positive steps to deglamorize the use of drugs and alcohol. From the use of seatbelts to the wearing of helmets by motorcyclists, the television industry recognizes its impact on society and the positive social obligations that creates. This industry has responded, Mr. Chairman, and will continue to do so.

Please recognize that this issue of violence on television raises many difficult and complex questions. How can we arrive at reasonable solutions without impinging on the values of the first amendment, thereby imposing an untoward chilling effect on the creative process? How should one distinguish between genres of programming—documentary, comedy, drama, or cartoon? How should we reconcile TV violence with the positive moral messages embodied in the dramatic retelling of conflicts between good and evil? Do studies that simplistically and mechanically add up the number of allegedly violent acts without reference to the overall

context of the program or the nature of the acts themselves lead to a better comprehension of the issue?

Let me just cite a case in point based upon our own experience. One organization, invoking this add-up technique, concluded that "The Young Indiana Jones Chronicles" was the most violent prime-time show on television last fall. This, quite frankly, stunned us and is flatly wrong. The series, which we jointly produced with George Lucas and Lucas Films, is a first-class show that not only entertains but educates, depicting both notable historic events and historical characters of the early 20th century. The show has received praise and support from innumerable civic and educational institutions, ranging from the Boy Scouts of America and the Children's Television Workshop to the University of South Carolina and the United Federation of Teachers in New York.

Having said that, we do look forward to participating in the August conference and continuing this important discussion. We will maintain our efforts to work with our creative talent to ensure that we are sensitive to the legitimate concerns surrounding the portrayal of violence on television, and as good citizens and parents, we will work with Congress and other concerned Americans in addressing the root causes of violence—broken families, decaying school systems, the prevalence of both handguns and drugs that remain embedded within the fabric of our society.

Mr. Chairman, thank you for inviting me to appear before you today and I will be happy to respond to any questions.

Senator SIMON. Thank you.

Mr. Nalle?

STATEMENT OF NED NALLE

Mr. NALLE. Good afternoon. My name is Ned Nalle. I serve as executive vice president of Universal Television, part of MCA, which has been a leading producer of television programming since the early 1950's.

For the fall schedule, we will be responsible for producing new episodes of such popular TV series as "Coach," "Northern Exposure," "Law and Order," "Murder She Wrote," "Columbo," plus from Steven Spielberg's Amblin Entertainment "Harry and the Hendersons" and "Seaquest D.S.V."

As we constantly aim to create values in our various marketplaces, we strive to produce every episode of these series within the boundaries of common sense and good taste. We employ producers of significant reputation who are caring parents, whose rectitude dictates that their art work be neither vulgar nor gratuitous. These producers promote prosafety acts in their shows, ranging from mandatory depiction of seatbelt use to choosing nonviolent solutions to volatile conflicts.

Further governing the content of our product are the standards and practices departments of the networks to whom we supply. The networks carefully scrutinize every page of every script, and then engage in thoughtful discussions with our production executives, our writers, and our producers.

Three of the series I have just mentioned spin tales of the age-old conflict of good versus evil, manifested as crime stories. While the public tastes have shifted away from dark police shows,

Universal's dramas have survived perhaps because of their integrity.

Now, I don't think I am giving anything away if I tell you that for each and every episode next season, the good guys are going to win, and the bad guys in these morality tales, violent or not, routinely will pay a stiff price for their misdeeds. The fun of "Murder She Wrote" is watching how Angela Lansbury's character catches the suspect, but that series is written, produced and acted with great care to equally entertain grandparents, grandchildren, and everybody in between. Don't let its title fool you. We think "Murder She Wrote" is a paragon of good taste and propriety.

If you have seen the critically-acclaimed "Law and Order" series, you know that the first half of each program shows viewers how the New York Police Department detectives capture criminals. The second half demonstrates how the U.S. justice system tries and convicts him or her. Skillfully written and acted, the message to potential law-breakers is clear: getting caught is only half your problem.

Incidentally, since "Columbo" first appeared in 1967, Peter Falk's character has never ever fired a gun, and that is part of his charm. But did you know that the same claim could be boasted by Angela Lansbury's character, Jessica Fletcher, in "Murder She Wrote," as well as all of the recurring leads on "Law and Order?" We are very proud of this record.

In addition, we too have supported the Center for the Prevention of Handgun Violence by coordinating information on handgun safety between them and our writer-producers. Additionally, we are consulting with the center in their efforts to produce public service announcements dealing with this very important issue.

Other general safety and environmental issues are handled by Universal's own in-house environmental consultant. Whether it be reinforcing the dangers associated with hunting or clarifying the problems associated with a shrinking ozone layer, Universal wants to ensure the facts are communicated clearly through the actions of our characters. In the TV movie area, Universal has produced pictures in conjunction with public service organizations such as Mothers Against Drunk Driving. Another Universal movie for television recently focused on the horrors of fetal alcohol syndrome.

Despite these good intentions, we remain imperfect. We recognize the wide reach of our programs and the duty we have to tell stories within the bounds of good taste, common sense, and reason. We can always do better, but let us do better without third-party censorship or interference.

We support the statement read earlier this morning by Mr. Valenti, and we look forward to the industry-wide meetings to be held over the next several months. We want to cooperate with the committee. We believe the Valenti pledge is the best approach to yield meaningful results.

Thank you all for your time and your interest.

Senator SIMON. Thank you. Mr. Nalle, real candidly, your statement almost illustrates the problem. There is a failure in your statement to recognize that we do have a major problem in our society, and I think we have to face that. When you say that in your productions the good guys win, whether they are violent or non-

violent, that is one of the problems. We identify with the good guys in whatever the film is, and in real life the good guys don't always win. If you look at the news from Bosnia, it is very different from the kind of violence that is coming from your studios.

I am not suggesting, in response to my friend, Jack Valenti, that television is the cause of violence in our society, but it is a cause, and we have to recognize that and we have to do better.

You mentioned "Murder She Wrote." That is an illustration of a program that has the tension, it has all the good things, without the kind of violence that is on too many productions. Most of the Hitchcock movies had great tension, drama, but were not an affront and did not portray violence in a glamorized way.

You have already heard from people today who said Senator Dodd held a hearing in 1961. We were promised action. Senator Pastore held hearings in 1972. We were promised action, and we are in worse shape today than we were in 1961 and 1972.

We just had two votes, and I was explaining to one of my colleagues what we were doing. His response was, there has to be some kind of government action; if the studios can make a dollar-and-a-half more by being violent, they are going to do it. I would be interested in your response to my colleague.

Mr. VALENTI. The question being whether or not there is gratuitous violence?

Senator SIMON. Yes; he said, frankly, if the studios can make a dollar-and-a-half more by having the violence, they are going to go ahead and do it; we need some kind of governmental action.

Mr. VALENTI. Well, Senator, I can't deny that the movie industry is like a neighborhood. Most of the people in the neighborhood are good, law-abiding folks and they go to church and they raise their kids. But down the block, there is a child molester, and over there there is a fellow who is embezzling from an accounting firm, and back there there is a wife-beater. So in the movie neighborhood, there are people who think that way, but violence by itself does not gain you an audience.

One of the things that I have said as Valenti's law about movie ratings—people say, well, you get an R rating if you do this, or you get a PG rating, and I say, no, you don't understand. If you make a movie that a lot of people want to see, a really first-class, entertaining movie, no rating is going to hurt you. But if you make a movie that is dull and bland and illiterate, no rating is going to help you. It has to do with how you frame the movie. You don't have to have violence to make a great movie.

My all-time favorite movie is a G movie. It is called "A Man for All Seasons," which is the conflict between a man's conscience and his king, the story of Sir Thomas More. Now, why don't we make more movies like that? Because there aren't many Fred Zinnemans around and there aren't many Robert Bokes—a high degree of creativity.

I believe there is gratuitous violence on television, Senator, or I wouldn't be responding to you so favorably. I really feel about gratuitous violence like Pascal in his famous bet when they said, do you believe there is a god? If you ask me, do I believe there is gratuitous violence on television, I would answer like Pascal. He said, I would bet there is a god because if there is a god, I win, but if

there is not a god, it doesn't make any difference. So I am betting that there is gratuitous violence and we must do something about it.

I am not going to stand up here and confirm the integrity of every moviemaker any more than I will of any public servant, but I think that the vast majority of the people in our business do care about the kinds of things they do. Do some people make movies just for money? Yes, a lot of people do a lot of things just for money.

Senator SIMON. And we are not opposed to that. Mr. Moonves?

Mr. MOONVES. I would like to point out a couple of things. Number one, it should be noted that of the top 25 shows on television, none of them can be classified as belonging in the violent category. Number two, in terms of the economics of the television business, there is far more money to be made from a sitcom than any drama. The "Cosbys" of the world, the "Cheers," the "Full Houses," the "Home Improvements" are the big moneymakers, not even the "Law and Orders" or any of those hour programs.

In addition, I would just like to add, Senator, that we are not at all denying that the problem exists and, in fact, I would say over the last 6 months we have probably had more meetings on this issue than I personally have had in the last 15 years that I have been in this business. So there is a problem. We are aware of it and we are trying to—you know, I mean our sensitivity is greatly heightened at this point.

Senator SIMON. Mr. McCluggage?

Mr. MCCLUGGAGE. I mean, if the question being posed is do you need government regulation to address this problem, beyond the efforts that we have talked about on a voluntary basis where the industry has had a significant impact on important issues that face this society that we have already talked about—smoking, seatbelt use, et cetera—I think those examples demonstrate that voluntary efforts can work, but there are marketplace forces beyond the lucrative nature of half-hours.

Advertisers do screen product and vote with their dollars, and they do not vote with shows that they view to be extremely violent. I think there is a responsibility. We have to educate and provide enlightenment to the community, which hopefully the August conference will do. I also think we have to provide greater enlightenment to the audience. In the month of May, which in the tape that I saw of the earlier hearings was described as the month of murder and mayhem, the highest rated theatrical was one of Universal pictures, "Fried Green Tomatoes." I think there the audience voted and they voted for a nonviolent program. So I do believe that there are market forces at work, and it is not going to be in the studio's best interest on a bottom-line basis to promote gratuitous violence.

Senator SIMON. Mr. Nalle?

Mr. NALLE. The audience votes for "Murder She Wrote" every week. It is one of the top ten shows on the networks.

Senator SIMON. The co-Chair of this hearing, Senator Kohl.

Senator KOHL. Thank you, Senator Simon. We have talked about three areas in which there has been movement in our society, and they have been repeated here this morning—seatbelts, cigarettes, and gun laws. Well, now there is legislation that covers the use of

seatbelts across our country, and as a result we have extensive seatbelt use.

You are here saying today—and you are pleading for us to pass gun laws to do something about the proliferation and the use of guns and all the violence that they cause. We know we have come down hard on the use of cigarettes in this country, and as a result cigarette use is way down. It seems to me you are offering us the prescription for violence on TV. We have to come down hard on it.

If we would have just waited for cigarette manufacturers to do their duty to society, it probably wouldn't have happened. If we would have just waited for all the automobile companies to voluntarily put seatbelts into their cars without any regulations, it probably wouldn't have happened. You are telling us, you are going to have to pass a law if you really expect to do something significant about proliferation of handguns. You are telling us; you said it this morning, Mr. Valenti.

Then you say, gentlemen, I am going to go out across this country and I am going to have meetings; I have got a meeting scheduled here, there, tomorrow, and everywhere. Do you really think that we are to believe that as a result of these half dozen meetings that you have got scheduled in the next several months, violence on TV is going to be reduced significantly?

Again, I am not ascribing to any of the four of you bad motives. You are business people, and you are good business people, you are honorable business people, and you do have a social conscience. I mean, there is no doubt in my mind, but the purpose of your business is first and foremost to entertain in a way that will provide maximization of your profits to your shareholders. Then there are also other things that you consider.

Unfortunately, in the last 20 years, 25 years, that part of your obligation that you talk about to society to do something about the level of violence on TV has not really been addressed properly. The one thing that will get your attention—and I understand it; it would get my attention if I were in your position—is the real fear that something serious will happen soon. The only place that fear can come from, or one of the only places it can come from is from government.

I don't know how we do it and I know how sensitive it is. We have all of the restraints that we talked about this morning that we don't have to talk about, but the fear that something is going to happen next week or next month will cause human beings to take certain actions, and I believe that that is true in this case.

I will be happy to listen to any response. Mr. Valenti?

Mr. VALENTI. Well, Senator, I don't know how else to respond to you because if I told you we were going to muzzle creative people, I would be torturing the least ambiguous clause in the Constitution. Neither can you, with all the power of this great assembly called the U.S. Senate—you are baffled by this thing called the first amendment.

So within the embrace of the first amendment, we are trying to do something about it, and I believe the only way I know is to deal with the people who construct the story. Everything begins with a script, so let us start at the beginning.

Now, if, after a certain amount of time, you do not see some improvement—I am not sure how you are going to weigh that because we are talking about maybe 200,000 hours of television, if you add cable. Now, one other thing that you are going to have to get used to is within a few short years, electronic wizardry is going to avalanche us. We won't have just 55 channels; we are going to have 500 channels, Senator, maybe 1,000, all available by punching in a little hand-held computer.

So I am saying to you I think the biblical injunction is what we need to follow. In the beginning was the word, and that is where we are going to try to start. Will we be eminently successful? I can't warrant that to you. Will we try our damndest? Yes, we will. If I have anything to say about it, we will, and I do have some modest influence in this business. We are going to try.

I think the way that you and Senator Simon are going about this, in my frail judgment, is the right way. If you push and shove people, they are going to shove back. Remember, they have the buckle and armor of a thing called the first amendment. I never mentioned it in my opening statement because I am not going to hide behind it. I want to do something about it within all of the embrace of the first amendment.

So, that is my only answer to you. I can't guarantee anything. But there is a tombstone in West Texas that President Johnson showed me one time. We were traveling. The tombstone said, here lies John Travis, he done his damndest. We are going to do our damndest, and I hope it is a useful and suitable ascent upward, not downward.

Senator SIMON. Senator Cohen?

Senator COHEN. Thank you, Mr. Chairman. Mr. Valenti, I assume in your opening remarks your reference to would-be novelists was confined to those who stand behind the witness table and not those up here. [Laughter.]

Mr. VALENTI. Your book sold a lot more than mine, Senator.

Senator COHEN. It didn't have as much violence in it as yours. [Laughter.]

Mr. VALENTI. Yours was better written.

Senator COHEN. Let me ask the executives here from the industry itself, I assume that you make a financial analysis on each and every movie that is produced either for the movie theaters or for television in terms of what the likely rate of return is, or what the projected rate is versus what is returned. I assume each of you do that, do you not?

Mr. MOONVES. Well, the TV business is very different than the motion picture business.

Senator COHEN. OK, but I assume that you say this type of program is likely to produce this kind of audience share, which translates into advertising dollars which then, in turn, translates into profits for our shareholders.

Mr. MOONVES. The system doesn't quite work exactly that way, sir.

Senator COHEN. There has got to be some analysis, I assume. You have to make some calculation in terms of what is going to produce an audience, which will produce advertising, which will produce dollars, right?

Mr. McCULLAGGAGE. We look at pro formas that, on an average basis, in a general case, indicate where you will come out with the show. I mean, the uncertainty in it is no one can tell you what the next hit television show is until it happens, and that has a great effect on the revenue side of the equation.

Senator COHEN. Let me follow up on what you said. You indicated that the top programs as far as revenues are concerned are comedy programs, right?

Mr. McCULLAGGAGE. Yes.

Senator COHEN. The question I have is why, then, during sweeps month or sweeps week, is there an increase in the level and volume of violent programming? Why, during that particular month, do you see an increase in the violent shows if, in fact, it is the comedy programs that produce the greatest amount of revenue?

Mr. McCULLAGGAGE. I am sure you talked about this when the networks were here. The sweeps period only exists, actually, because Nielson ratings don't cover local markets 100 percent of the time. So for advertisers that are averaging rates that occur during the 4 sweeps months and projecting them for the rest of the year, the tendency by networks has been to go beyond traditional series programming, which would include the comedies that you just referenced, to a lot of special-event programming, and particularly recently we have seen a lot of movies of the week that depict real-life crime and they have promoted them extensively.

Senator COHEN. If I were to take a list of the programming during sweeps week and measure that against your revenues, would it show an increase over the average monthly return or a decrease?

Mr. McCULLAGGAGE. Primarily not for the studios because it is the—if they are generating large dollars, those are advertising dollars that remain with the networks. Our license fees don't change based upon—

Mr. MOONVES. We sell the program to the network who then sells it to the advertiser. So we are sort of a middleman in that process.

Senator COHEN. I assume there is still some kind of a connection or nexus between the programming and the profits, and that is the reason why you are able to sell various movies to the—

Mr. MOONVES. Not in the movie-of-the-week business. We will sell a movie of the week to a network and get x amount of dollars for it. Our revenue will come when we later sell it syndication. For the network, that movie, if it gets a higher rating, will bring more revenue to the network.

Senator COHEN. I think Mr. Valenti indicated we have had violence long before we have had television. We have also had sex long before we have had television. I think everyone agrees that there are some restrictions or restraints placed upon what is shown on television, although not much, I might add. If one were to tune in the afternoon soaps and perhaps late-evening programming, very little restraint is shown, but there is some.

Mr. VALENTI. Or "Donahue."

Senator COHEN. Or "Donahue" or any of the other similar programs, I suspect. But with regard to the older movies that you referred to—"A Man for All Seasons," for example—I disagree with you. I think there are just as creative people today as those who

produced that particular movie. The violence was less graphic. It was not nearly as explosive.

One can turn to any one of the major movies, "Terminator" or any of the others. There was not that kind of level of violence depicted in those days. We had "The Untouchables" and there were machineguns and the mob scenes, and so forth, but it was always very distant, not up close, not terribly graphic, watching every movement in slow motion. There is a difference today, and I think that there is a difference, also, in the level of violence in our society.

Mr. Valenti, you suggest that one solution would be to take the guns out of the homes, off the streets, and out of our lives. I might point out that that runs into another what some consider to be iron-clad right called the fourth amendment. So it is not enough to say let us switch it from the first to the fourth because the debate will go on and on and nothing will ever get done.

I think that the answer is not to say to our creative people that we can't put any restrictions on you. You tell the script writer, we don't want to see as much graphic violence, however you want to characterize it, in the future, and in the event you keep writing these scripts, then they are not going to get produced and you are not going to get paid. I think you can, in fact, have an influence on creative people without stifling their creativity if you say there is a level of violence, the depiction of which is going beyond a sense of decency.

Now, how do you define that? Can government decide what is gratuitous, what is too graphic? I don't think so, but it seems to me there is some common sense that has to be applied, a common sense of decency that this is really going beyond the bounds.

Now, if the industry can do this, it ought to do it forthwith, and we can debate the connection between the movie or the television program and the ultimate violence taking place in our society.

To say that it is a matter of banning guns misses the point. We have bans on cocaine and heroin and marijuana and other drugs. We are drowning in a flood tide of drugs and they are killing us. So it is not going to be enough to take the guns away. The next question I would ask you is, assuming we take the guns away, would we then have an increase in the level of violence depicted by knives or sledge hammers or some other device?

I think what it comes down to is a sense of common decency that seems to be missing in a number of programs, and it is having an impact, not necessarily upon the adult population. We can separate them out, but all families are not created equal. As we heard from our first panel of witnesses, you can take a family like "Father Knows Best" and the chances are that a violent movie will have a rather minimal impact upon a strong family that has both a mother and a father and strong family values, religious values. That, I would suggest to you, would have a markedly different impact upon a single-parent family, living in a ghetto area where every minute, every second, it is a struggle to survive.

So I think that we have got to do something. I would prefer to see the industry do it, but the industry has been promising this for decades now and the level of violence in movies seems to be going up. I don't want to see a Federal dictate in terms of what is graphic

or nongraphic, or gratuitous or nongratuitous, but I think the industry has got to start applying more common-sense tests, or else you are going to lose that right to do so. That is what I think is coming.

My time is up. I didn't ask you any questions, but I wanted to convey to you my own sentiments on this.

Senator SIMON. Senator Pressler?

Senator PRESSLER. Thank you, Mr. Chairman. Following up on what Senator Cohen has said, I would like to ask a question along the lines of how we must, first of all, take a look at ourselves and what our marketplace says about us. I know in a hearing such as this, we all say what is politically correct, within the context of the hearing. I think if we are going to understand the problem, we have to dig a little deeper.

Now, what does the marketplace really say about our appetite for violence? I am not an advocate of the marketplace at any cost. But after all, we are telling the rest of the world in our foreign aid program—and with what is happening in democratization around the world and in the emergence of nations—we are telling them to turn toward entrepreneurship and let the marketplace decide. I understand that we can't let the marketplace decide everything, obviously, such as the availability of illegal drugs, and so forth.

But what really is happening in the marketplace? Senator Cohen began to ask such a question. What about the movies? What does the marketplace say? Here we have a controlled circumstance where people vote with their feet and with their money. They pay \$6.50 or \$7 for a movie ticket—a little less in some places.

Let us talk about the movie marketplace first. What does the marketplace of the movie industry tell us about the public's desire to see gratuitous violence?

Mr. VALENTI. I will answer that. We do have some data on that. In 1992, the major studios, my company members, released 141 new movies. Independents, who have no connection at all with the major studios, released about 340 films. Of those 480 films, only 36 did more than \$20 million a year in rentals at the box office. I don't mean box office gross.

In our nomenclature, rentals is what comes back to the producer-distributor. So 36 movies out of some 480 did more than \$20 million. Now, the ratings on those movies were 18 of them were rated R and the other 18 were rated PG-13, PG, and G. But what does that tell you? Of those ones that rated R, there were about three or four or five that got R for reasons other than violence. Brutalizing, profane language will rate you an R.

I don't know what that tells you. I do know that it is 50 percent of those 36, and that is about what the ratings are. About 50 percent of the movies today are rated R and the other 50 percent are rated something else. But keep in mind that an R rating can be for drug use. It can be for theme, like incest. It can be for sensuality, it can be for violence, it can be for sordid language. So, that is the marketplace for movies.

Television is the most unpredictable place to be. If you are going to invest in a television series, I think you would be better to go to Las Vegas where the odds on a crap table are only six to five against you. In the last 5 years, of all the new series that are born,

72 percent die in the first year, 12 percent die in the second year, which means that nobody knows what the marketplace is saying.

If we knew what the marketplace was saying and if we knew what kind of a series we had, those mortality rates would not be that high, Senator. This is a very dicey forum. You are dealing with the most fragile of all businesses, I guess. It is an art form married to a business, and what we do flies on gossamer wings which are very easily shatterable when it gets out into the marketplace. So what you can make of those figures, I don't know, but I offer them to you.

Senator PRESSLER. Does anybody else want to take a run at my question?

Mr. MOONVES. Well, I think clearly—and I know the networks went into their schedules with you a little while ago. Number one, the point that there are less dramatic hours on the air is true. There are far more sitcoms on the air, it is true. There are far less violent shows among the top shows than ever before, and I think if you look at the fall schedule for 1993 and compare it to even 2 or 3 years ago, it is drastically different in terms of the amount of comedy on the air versus the amount of drama and the amount of reality programs which, you know, have a great deal of violence in them as well, some of them.

Senator PRESSLER. My second question involves what responsibility exists for the people who make movies and TV shows to show things as they are in reality. In the District of Columbia, and I follow this closely because I live on Capitol Hill, we had 420 people shot dead last year—that is more than 1 a day—within probably a mile of where I live.

Previously, I have told you about my experience during the last couple of weeks of visiting shelters for battered women in my home State. These shelters are in mostly middle-class, typically American towns in the Midwest.

Jack Valenti, you said in your opening statement that we live in a violent society. Is that compared to European societies or other societies? The examples I mentioned, 420 dead in our Nation's capital and the violence occurring in middle-class American towns confirm that we are a very violent society. If we deny this fact by denying in our communications the showing of it, where does that leave us? I am not advocating any particular proposal. I am just throwing this out.

Mr. VALENTI. Where does that leave us if we—

Senator PRESSLER. Yes; I mean, because we have a violent society, we should expect a certain amount of violence, portrayed on TV and in the movies.

Mr. VALENTI. All I was trying to point out, Senator, is that there were violence in this society in the 1920's, at the turn of the century, long before there was television. Some of the most violent periods in Europe took place long before there was any television, and also there are very different cultures. For the Japanese, going to jail is a terrifying humiliation as a part of their culture. It may be why they have fewer violent acts than we do.

I am not here to tell you that gratuitous violence on television does not cause violence in the society. The evidence seems to be overwhelming, although there are other studies that haven't made

this causal relationship so vivid. However, what I was trying to say in my statement is that television is not the sole villain in this tableau, that there are other things that take place, and Senator Cohen and others reminded us—a single parent, latchkey children, a thinning out of the affectionate ties that once bound families together. I think the lack of belief in God lately is a big factor. Religion in our early days was one of the most stabilizing influences in our lives, so were schools, the same way.

So I think there are a lot of elements in this mix, this emotional and societal mix, that causes people to do disfiguring things. So I am not trying to defend television. I am just merely saying, please don't guillotine it and say this is the only thing that causes problems in our society, and have them go clattering in the tumbrels to the knife. I don't think that is fair. I think there are things that cause people to do violent things.

I don't know what causes the people in South Dakota to beat their wives. I haven't any idea, but I don't know that there are a lot of shows on television that show the exultancy of beating one's wife. I am not aware of that. Maybe there are.

Mr. MCCLUGGAGE. I might also just add that—I mean, you asked what responsibility we can take and should take. I don't think any more than you would like us to hide behind the first amendment can we hide behind the argument that we are just a mirror to a violent society and we have the right to portray that violence that we see in the real world.

I got into this business because I do believe that there is an impact that television can have on this society. I happen to believe that a great deal of that impact is positive. That is why I work in this business. So I think we do have to take responsibility and can't hide behind the argument that we are just a mirror to real life.

Senator SIMON. Senator Cohen?

Senator COHEN. Mr. Chairman, just to correct the record, I think I indicated the first amendment might run into the fourth. I should have said the second.

Mr. VALENTI. I didn't correct you, Senator. I didn't know.

Senator COHEN. I would hope not, Mr. Valenti. [Laughter.]

Mr. VALENTI. Let me say again I really feel strongly about this, Senator. As I said, I think what you and Senator Kohl are doing is right. Why haven't we acted before? Well, I guess you only act when the crisis arrives. Why haven't we dealt with health care before? You know, we are coming to grips with that, finally.

But we really are going to try to do something positive here. If we lessen it 10 percent, I think that is a big gain, and then maybe we can lessen it another 10 percent. I think the biggest problem you are going to find, and I don't think we should shy away from this, is what is too much violence. Where does it cross this smudged and ill-illuminated line? I think that is going to be the big problem, particularly when people are trying to put dramatic shows together.

But having said that, I really honestly believe that we can raise the consciousness of the people who write the shows, who act in them, who direct them, who market them, who distribute them, and who deliver them, and we want to begin at the beginning. I

can't leave this afternoon without telling you how strongly I feel about it.

If I were in your shoes, Senator Kohl, I dare say I would be expressing the same cynical thoughts. I would, because the history of so much of what is said in hearings is like tracings on dry leaves in the wind. So I understand your frustration with that, but believe me, we are going to give this our best shot. I talked several days ago to all the guilds. They are eager to participate. They want to try to see if, as a society within a society, we can make some difference, and I think we can. As I said, we are going to try hard to do it.

Senator SIMON. If I could just make one comment, and then I would like to ask one final question of you, Mr. Valenti. We talked about what you have done in a positive way on smoking, and there is no question that has been a real positive thing. The difference is you can drop that cigarette from the hero or heroine of your story and it isn't going to affect that bottom line at all.

Mr. VALENTI. True, true.

Senator SIMON. When you drop the violence, that may very well affect the bottom line, and that is why we are talking about something of a different dimension. But if, on an industry-wide basis, there can be an agreement not that there won't be an occasional—as you say, in a neighborhood, somebody is going to be abusing things, but I think we have to admit this abuse is too massive today and we have to do better.

It is a little bit like a nuclear arms agreement. If everyone agrees we are not going to have nuclear arms, no country benefits by having them. Everyone is on the same level, and then anyone of your companies can make money and do it without doing harm to our society. Television is not, as you suggest, the only villain on violence, but it is a villain, and I think the sentiment in the United States Senate is very, very strong on that.

Mr. VALENTI. I agree with that.

Senator SIMON. My question to you, Jack Valenti—and you have been around here, if you will forgive me, quite a few years and observed a lot of politics and what is going on. What if you were a member of the U.S. Senate and you recognized this as a major problem in our society? What would you do about it?

Mr. VALENTI. Well, I must say I always wanted to be a U.S. Senator. Unhappily, I didn't make it, and in my home State of Texas today, being a Democrat is not the greatest endorsement either.

I would probably be doing what you are doing and what Senator Cohen, who is a literate and literary man—and I respect his judgment on these things—is doing and what Senator Pressler is doing. I would be doing the same thing. I would be trying to find a way to make public policy that didn't inflict any damage on one of the blessed first 10 amendments, but at the same time try to make some impress on what is being conveyed to the American public, particularly as it affects children.

I happen to be a great believer, Senator, that every adult in this country ought to be able to see any piece of garbage or trash or whatever it is they want to see. When you are adult, no one should make choices for you, but as the father of three children, I have a great respect for people who try to make sure that children have

a chance to absorb that which is absorbable and not to have them be tormented by that which they don't understand and want to emulate.

The answer is I would be doing exactly what you are doing, and I hope that the people that I would be exhorting and that you are admonishing now would respond in a way that would make it not necessary for me to try to find some other more grisly form of persuasion. I don't know what that would be, but I would want to avoid it if I possibly could.

So I think you are doing the right thing, and if I had a better suggestion, I would give it to you. I do believe from our standpoint we are trying to respond to you in the way that I think is the best way to respond, and that is to deal with this internally as best we can. But I want to have one cautionary warning. We are dealing with a fragmented society, called the entertainment industry. There is no monolith.

If there is a villain involved in all this, it is the antitrust lawyers of the Justice Department who, in 1950, broke up the ownership of studios and theaters, and thereby collapsed the power of studios to do anything that had to do with content.

I am saying to you that there are 8,000 members of the directors guild and the writers guild. There are thousands and thousands of independent producers, each one of them following his own lantern, and I can't speak for all of those, but I think that the majority of creative people and studio people and film distribution people are listening to this and will try in their own way to make some beneficial impact. That, I am confident of, but it is a large, mutually-antagonistic and porous society out there.

Senator SIMON. There are no further questions. We thank all four of you for being here and being witnesses.

Our final panel is Ralph Gabbard, if I am pronouncing it correctly, chairman-elect of CBS TV Network Affiliate Association, on behalf of NAB and the Network Affiliated Stations Alliance; Stephen Palley, executive vice president and chief operating officer, King World Productions, and Ralph Goldberg, who is the director of legal affairs for Reality-Based Programming for King World Productions; and Al DeVaney, chairman of the board, Association of Independent Television Stations, and General Manager of WPWR in Chicago.

We are very pleased to have all of you with us, and unless there is some preference we will start with you, Mr. Gabbard.

PANEL CONSISTING OF RALPH W. GABBARD, ON BEHALF OF THE NATIONAL ASSOCIATION OF BROADCASTERS AND THE NETWORK AFFILIATED STATIONS ALLIANCE; STEPHEN W. PALLEY, EXECUTIVE VICE PRESIDENT AND CHIEF OPERATING OFFICER, KING WORLD PRODUCTIONS, INC., ACCOMPANIED BY RALPH GOLDBERG, DIRECTOR OF LEGAL AFFAIRS FOR REALITY-BASED PROGRAMMING, KING WORLD PRODUCTIONS, INC.; AND AL DeVANEY, CHAIRMAN OF THE BOARD, ASSOCIATION OF INDEPENDENT TELEVISION STATIONS, INC.

STATEMENT OF RALPH W. GABBARD

Mr. GABBARD. Thank you, Mr. Chairman and members of the subcommittee. My name is Ralph Gabbard and I am president and general manager of WKYT-TV in Lexington, KY. I appreciate the opportunity to appear before the subcommittee on behalf of the National Association of Broadcasters and the Network Affiliated Stations Alliance. These organizations represent over 900 local broadcast stations throughout the country. I am a member of the NAB's board of directors and chairman-elect of the CBS Advisory Committee. The Network Affiliated Stations Alliance includes CBS, ABC, and NBC television network affiliates associations.

Local broadcasters share the concern of all Americans with television violence and fully recognize our ongoing responsibility. We believe there has been progress in this area, but agree there is more that needs to be done. All segments of the television industry—the networks, affiliated and independent stations, cable operators, program producers, syndicators, and program distributors—must work toward applying reasonable programming standards that avoid gratuitous depictions of violence on television.

This subcommittee, under the leadership of Senator Simon, has played a vital role in raising awareness among the public and within the television industry concerning this important issue.

Local broadcasters play a unique role in the television industry. As providers of free, over-the-air television in thousands of communities across the country, we must be sensitive to the needs and standards of the communities we serve. With the privilege of serving these communities comes the obligation to serve the public interest. I believe local broadcasters have a proven track record in meeting this obligation. Broadcasters have focused on and will continue to focus on television violence.

Virtually all of the prime-time programming aired by the affiliates is network programming. We are heartened by the testimony of the network representatives before this subcommittee several weeks ago. ABC, CBS, NBC, and Fox have taken important steps to address concerns regarding television violence, and have clearly stated their intention to pursue these concerns further.

Thanks to the Violence in Television Act, ABC, CBS, and NBC agreed recently upon common standards restricting how and when they will show violent acts on their network programming. We welcome these efforts by the networks, and let me assure the subcommittee that local broadcasters will work in every way with the networks in furthering their efforts.

I believe broadcasters are making progress in addressing excessive violence on television and in improving the overall quality of television programming. There have been a number of new family-oriented shows that have proven to be very successful. CBS' "Dr. Quinn, Medicine Woman" is a good example, and as I look at the CBS fall lineup I see more evidence of family-oriented fare. There is a need for Hollywood producers to provide more high-quality family programming.

Speaking from my own experience, WKYT-TV in Lexington, KY, has had great success with late-afternoon, early-evening programs such as "Wheel of Fortune," "Jeopardy," and "The Andy Griffith Show." You can't get more wholesome than "The Andy Griffith Show," and at least in our case you can't get more popular. We have aired "The Andy Griffith Show" for the past 12 years and it is consistently achieving the highest ratings in the 5 to 5:30 p.m. time slot leading into my newscast every day.

While there has been progress, there is certainly more that needs to be done. Local broadcasters are committed to playing our role in addressing television violence. We will participate in industry-wide efforts to do so, including the conference to be held this coming August in Los Angeles, with the cooperation of the National Council for Families and Television.

Local broadcasters are making efforts to expand educational programming for children. WKYT-TV in Lexington has invested significant resources in a new children's program called "Scott's Place" which educates kids on a variety of subjects from the workings of a dairy farm to Kentucky history. I know of other local broadcasters leading the way in developing high-quality, innovative educational program for children.

Senator SIMON. I am sorry to interrupt. Unfortunately, we have caucuses, and my colleagues have left already. If you could summarize the balance of your statement, I am going to have to be strict on the 5-minute rule because of the situation we face.

Mr. GABBARD. That is basically it. I just want you to know that we are here to do what we can. We believe there is a need and we are going to work at that.

Senator SIMON. We thank you.

Mr. Palley?

STATEMENT OF STEPHEN W. PALLEY

Mr. PALLEY. Mr. Chairman, Senator Kohl, my name is Stephen Palley. I am executive vice president and chief operating officer of King World. I am accompanied by Ralph Goldberg, our director of legal affairs for Reality-Based Programming.

We, as well as this committee, are disturbed by the violence which seems endemic in our society. We take our responsibilities to avoid the depiction of gratuitous or excessive violence on television seriously. We welcome the opportunity to appear before you today, and we believe that King World's programs are not violent in nature.

King World is a leading producer and distributor of what is known in the broadcast industry as first-run syndicated programming. From modest beginnings in 1964, we have grown into a publicly-traded company which produces and/or distributes some of the

best-known television programming in America—"Wheel of Fortune," "Jeopardy," "The Oprah Winfrey Show," and "Inside Edition."

Our programs are distinguishable from network television programming both in terms of the manner in which they are distributed and their content. The shows that King World distributes are not network shows, nor are they reruns of programs or series that previously aired on television networks. Rather, each of our program series is independently produced for initial exhibition on local stations and is marketed on a station-by-station basis.

First-run syndicators like us must earn our consumer acceptance and demand from our programs from the ground up. The stations with which we deal, which are principally network-owned and affiliated stations, have a great deal more latitude in their programming decisions with us than they do with the networks who either own them or with whom they are affiliated.

The economics of first-run syndication thus dictate that our program series meet the needs and interests of the broadest cross-section of the American population possible. The American public has shown that it does not prefer gratuitous or excessive violence on television programming. As individual citizens with families, we share that judgment, and we and the television stations which air our shows exercise our editorial discretion consistent with that principle.

We believe we have been successful in that undertaking. In recent ratings, "Wheel of Fortune," "Jeopardy," and "The Oprah Winfrey Show" are the three highest rated daily series in first-run syndication, and "Inside Edition" is the sixth highest rated such series.

The content of our shows doesn't raise the kinds of concerns about violence on television that have led to these hearings. As I am sure the committee is aware, "Wheel of Fortune" and "Jeopardy" are game shows. We and others believe that these shows have an educational as well as an entertainment value, but in any case violence simply doesn't enter into the programs at all.

"The Oprah Winfrey Show" is a widely acclaimed public affairs program. The program does deal with societal problems, including child abuse and violence, as well as lighter, more pleasant subjects. But by any measure, that show is not one which should be the focus of the committee's concerns.

We are also convinced that "Inside Edition" is not the type of program that has led to these hearings. In brief, "Inside Edition" is a news magazine. A typical episode consists of a mix of investigative reports, stories which deal with the human condition, and softer entertaining features. We cover crime as part of the mix. Often, our coverage involves white collar and consumer exploitation. For example, we recently ran exposés on "Inside Edition" with respect to medical fraud and the lax enforcement by airlines of their "no smoking" policies.

"Inside Edition" doesn't cover violent crime for its own sake or for the sake of sensationalism. It does not attempt to recreate or simulate the crime. When we do cover violent crime, we focus on the consequences of the crime rather than its portrayal, especially

as the consequences affect innocent victims. We try in presenting such stories to assure that they reflect a larger societal theme.

We are very sensitive to our responsibilities as well as our rights under the first amendment. The Supreme Court has said that the essence of the first amendment is the right and duty of the press to exercise editorial discretion. The producers of "Inside Edition" and King World most certainly do exercise discretion in the selection and presentation of stories to assure that excessive or gratuitous violence is not depicted in the stories we cover.

Mr. Goldberg—

Senator Simon. If you could summarize the balance of your statement?

Mr. PALLEY. Well, all I was going to say is we have a professional staff led by Mr. Goldberg dedicated to the achievement of that, and in those news stories like the LA riots where we think there are going to be some of violent behavior, we typically insert a caution in the program that the upcoming story is inappropriate for children.

[The prepared statement of Mr. Palley follows:]

PREPARED STATEMENT OF STEPHEN W. PALLEY ON BEHALF OF KING WORLD PRODUCTIONS, INC.

Mr. Chairman, Members of the Committee, good morning. My name is Stephen W. Palley. I am Executive Vice President and Chief Operating Officer of King World Productions, Inc. I am accompanied today by Ralph Goldberg, our Director of Legal Affairs for Reality-Based Programming. We, no less than this Committee, are disturbed by the violence which seems endemic in our society. We take our responsibilities to avoid the depiction of gratuitous or excessive violence on television seriously. We welcome the opportunity to appear before you today. We believe that King World's programs are not violent in nature.

King World is a leading producer and distributor of what is known in the broadcast industry as first-run syndicated programming. From modest beginnings in 1964—with offices over a garage and with a single program series to sell—King World has grown into a publicly traded company which produces and/or distributes some of the best-known television programming in America: "Wheel of Fortune", "Jeopardy!", "The Oprah Winfrey Show", and "Inside Edition".

Our programs are distinguishable from network television programming both in terms of the manner in which they are distributed and their content. The shows that King World distributes are not network shows, nor are they reruns of programs or series that previously aired on a television network. Rather, each of our program series is independently produced for initial exhibition on local stations and is marketed on a station-by-station basis. First-run syndicators like King World must literally earn consumer acceptance and demand for our programs from the ground up. The stations with which we deal—principally network-owned and -affiliated stations—have a great deal more latitude in their decisions whether or not to air a first-run syndicated program series than in the case of network programs when they must deal with the networks which own them or with which they are affiliated.

The economics of first-run syndication thus dictate that our program series meet the needs and interests of the broadest cross section of the American population possible. The American public has, through its viewing preferences and habits, made clear that gratuitous or excessive violence on television programs is unacceptable. As corporate and individual citizens with families, we share that judgment; and we—and the television stations which air our shows—exercise our editorial discretion consistent with that principle. We believe we have been successful in this undertaking: In recent ratings, "Wheel of Fortune", "Jeopardy!" and "The Oprah Winfrey Show" are the three highest rated daily series in first-run syndication; "Inside Edition" is the sixth highest rated such series.

The content of our shows does not raise the kinds of concerns about violence on television that have led to these hearings. As I am sure the Committee is aware, "Wheel of Fortune" and "Jeopardy!" are game shows. We, and others, believe that these shows have an educational, as well as an entertainment, value; but, in any case, violence simply does not enter into these programs at all. "The Oprah Winfrey

Show" is a widely-acclaimed public affairs program. The program deals with societal problems—including child abuse and violence—as well as lighter, more pleasant subjects; but, by any measure, public affairs shows such as these surely should not be the focus of this Committee's concerns.

We are also convinced that "Inside Edition" is not the type of program that has led to these hearings. In brief, "Inside Edition" is a news magazine. A typical episode consists of a mix of investigative reports, stories which deal with the human condition and softer, entertaining features. We cover crime as a part of this mix. Often, our coverage involves white collar crime and consumer exploitation. For example, we recently ran exposés on "Inside Edition" with respect to medical fraud and the lax enforcement by airlines of their no smoking policies.

"Inside Edition" does not cover violent crime for its own sake or for the sake of sensationalism; it does not attempt to recreate or simulate the crime. When we do cover violent crime, we focus on the consequences of the crime, rather than its portrayal, especially as the consequences affect innocent victims. We try, in presenting such stories, to assure that they reflect a larger societal theme. For example, we recently covered the story of Texas inmate who was paroled from the state prison system after serving 22 years for a triple murder; shortly after his release from jail, he killed again. Our purpose was to focus attention on the problems of prison overcrowding and the inadequacies of our parole system. Similarly, we covered the now highly publicized story of the Japanese foreign exchange student who was shot to death in Baton Rouge. We put the story in the context of the debate over gun control; and our coverage included a live debate between the Japanese student's American hosts, who supported gun control, and a member of the National Rifle Association.

We are very sensitive to our responsibilities as well as our rights under the First Amendment. The Supreme Court has said that the essence of the First Amendment is the right and duty of the press to exercise editorial discretion. The producers of "Inside Edition" and King World most certainly do exercise discretion in the selection and presentation of stories to assure that excessive or gratuitous violence is not depicted in the stories we cover.

Mr. Goldberg, his staff and senior editorial personnel review each and every script for every segment of "Inside Edition". They pre-screen each frame of footage before broadcast. Unless essential to the story, graphic or upsetting footage is not carried. On the other hand, it would have been irresponsible for any news organization, for example, to fail to air the recent riots in Los Angeles. Nonetheless, in the rare case when such a segment comes on, we typically insert a caution into the program that the upcoming story might be inappropriate for children.

We intend to follow the same procedures and practices with respect to a new program series that we will be launching this fall called "American Journal". Like "Inside Edition", this will be a news magazine. Like all first-run syndicated programming, American Journal will need to earn the acceptance and respect of the American public market-by-market, viewer-by-viewer.

We believe that we have exercised the editorial discretion accorded us by the First Amendment responsibly and thoughtfully. We believe that, in the last analysis, it is the constitutionally protected exercise of editorial judgment that affords the best means of resolving the concerns that have led to these hearings.

Mr. Goldberg and I would be happy to answer any questions the Committee may have.

Senator SIMON. We thank you.

Mr. DeVaney?

STATEMENT OF AL DEVANEY

Mr. DEVANEY. Good morning, Mr. Chairman. My name is Al DeVaney and I am the senior vice president and general manager of WPWR-TV in Chicago, and I am also the chairman of the board of the Association of Independent Television Stations, known as INTV, which is a nonprofit trade association representing local stations which are not affiliated with ABC, NBC, or CBS.

Independent stations are keenly aware of the levels of violence in America and we are aware that none of us is immune. There is no doubt that the debate surrounding the causes of violence will continue long after this hearing, but that is not the issue before us

today. The Congress, under your leadership, Senator Simon, gave media industries an opportunity to come together and develop industry policies regarding television violence, and these hearings underscore the importance of the issue.

Make no mistake. As it has been said before, your message has been heard loud and clear. As federally-licensed television stations, we are responsible for what is broadcast over our air, and we recognize our obligation to respond to congressional concerns regarding our performance.

Independent television has not been sitting on the sidelines on this issue. We have been active in the inter-industries meeting and we will be participating in the conference that has been referred to that is scheduled for this August. More importantly, the INTV board of directors took action last January with a program to address this issue when a subcommittee of our board was formed to develop policies to help guide stations and reduce the level of violence that may appear in some programs and in promotional announcements.

To this end, the INTV board of directors has enacted specific guidelines addressing television violence, a copy of which appears in my written testimony. The guidelines will apply to entertainment programs and promotional announcements. Moreover, INTV is encouraging its member stations to provide on-air advisories for those programs containing violent scenes that parents may find unsuitable for children. Our goal is to provide parents with the necessary information to police their viewing habits.

Our plan is a realistic answer to these problems, given the status of independent television in the video marketplace. Unlike major networks, independent stations are generally not involved in the creation and development of entertainment programming. Apart from producing local news, sports, and children's programs, independent stations generally do not produce entertainment series or movies of the week.

Our programming supply consists mostly of situation comedies that appeared previously on the networks, so-called off-network programming such as "Roseanne" and "Cheers," and we have first-run entertainment series which have not appeared on the networks, such as "Star Trek." Finally, we televise movies that have been edited for television by Hollywood distributors.

Also, unlike the major networks, there is no centralized editing process or scheduling process for independent stations. Editorial judgment rests solely in the hands of local stations. Each local station acquires and edits programming in accordance with the tastes of its community. As a result, I cannot provide you with a specific program schedule for all independent stations. It varies station by station, market by market.

Finally, there is the question of market leverage. As individual purchasers, each station does not have the purchasing power to force a program supplier to alter program content. If a station does not purchase the program, it will likely be acquired by another station in the market or a cable service.

The competitive consequences of any television violence program is an important fact which must be considered. There is no doubt in my mind that if standards are applied only to broadcast tele-

vision stations, viewers will simply shift to cable, subscription channels, and home video rentals. Even with our past editorial standards which we have all found to be unsatisfactory, a significant viewing shift has occurred away from broadcast movies and away from action hours toward cable and home video.

I urge you to strongly consider the earlier remarks of Representative Schumer of New York. Pay cable and home videos should not be immune in this process. To ignore them will simply shift the problem, not solve it. Senator Simon, your nuclear arms analogy would apply here.

Despite the potential negative economic consequences, independent stations have acted and are committed to meet your expectations. I believe this demonstrates that voluntary action by the industry can work. Independent stations are only a small segment of the overall television industry, and by ourselves we cannot control all that is seen on television. Our guidelines and our advisory messages are a major step in meeting congressional concerns.

We hope the association's decision will send a clear signal to our program suppliers that we, too, are concerned about the violent content of video programming. We stand ready to amend our programming to comport with the results of the inter-industry meeting to be held in August. All we can ask is that all segments of the video industry be held to the same standard.

Thank you very much.

[The prepared statement of Mr. DeVaney follows:]

PREPARED STATEMENT OF AL DEVANEY ON BEHALF OF THE ASSOCIATION OF INDEPENDENT TELEVISION STATIONS, INC.

Good morning Mr. Chairman and members of the subcommittee. My name is Al DeVaney. I am vice-president and general manager of WPWR-TV, Channel 50 in Chicago. I am also chairman of the board of the Association of Independent Television Stations, Inc. (INTV) and speak to you today on behalf of local Independent television stations across the country.¹

Independent stations are keenly aware of the levels of violence plaguing American society. None of us is immune from violent crime. For years, social scientists have hotly debated the causes of violence. No doubt this debate will continue long after this hearing. There are no easy answers.

These hearings underscore the plain and simple fact that Congress is looking to the television industry to do its part. Senator Simon has afforded all segments of the media industry a unique opportunity to come together and search for answers. Your message has been heard loud and clear.

For its part, INTV has actively participated in the inter-industry meetings between broadcasters and Hollywood. We will take an active role in the inter-industry conference scheduled for August 2, 1993.

Apart from inter-industry meetings, we decided to take action on our own. Last January INTV appointed a subcommittee of its board of directors to examine television violence and adopt a program to address the issue of television violence. Since that time there have been numerous discussions and meetings. To this end, the INTV board recently urged all Independent stations to adopt policies specifically directed at programs depicting violence. The board also approved a general policy outline which will be furnished to all Independent stations. Our goal was to increase the sensitivity of stations on this issue, in an effort to reduce levels of violence that may appear on Independent television.

More importantly, we have moved beyond enacting basic guidelines. INTV is recommending that its member stations employ a system of advisory messages for all programs that the station believes contain violent content. INTV is the first media trade association to endorse the use of advisory messages. No doubt we will be criti-

¹ INTV is a non-profit trade association representing local television stations that are not affiliated with the "big three" networks, ABC, CBS or NBC.

cized by some in the industry for going too far. Critics may say that we have not gone far enough.

We believe that a system of basic principals coupled with the voluntary use of advisory messages is an important step in protecting children from programs their parents believe are unsuitable. Our approach reflects a concern for the youth in our audiences, and is a realistic solution given the status of Independent stations in today's media marketplace.

We will continue to work with various members of the broadcast, cable, and production communities to develop a uniform program. INTV, by itself, cannot control the entire industry. If a superior inter-industry plan is enacted, we will modify our current program.

However, before discussing the specifics of INTV's program, it is important to outline the process Independent stations employ in acquiring and scheduling programming. This will provide insights as to the ability of Independent stations to influence programming that appears on television today.

I. BACKGROUND: PROGRAM DEVELOPMENT, ACQUISITION AND SCHEDULING

1. Program development and content control

The Subcommittee should understand that Independent stations play a unique and somewhat limited role in the development of program content. Unlike the big networks and large vertically integrated cable operators, Independent stations do not ordinarily engage in the creation and development of programming. Apart from locally produced programs such as news, public affairs and sporting events, most of the entertainment programming is created, produced and distributed to Independent stations by others.

Additionally, there is no centralized coordinating entity, such as a network, to influence and govern program selection for all Independent stations. On the contrary, most if not all programming decisions are made by the local television stations themselves. Independent stations acquire their entertainment programming from several sources.

Independent stations rely heavily on so called "off-network" programs, i.e. series that appeared previously on one of the networks. For example, series such as "Murphy Brown," "Roseanne," or "Cheers" are at the heart of an Independent's program lineup. Independent stations purchase these shows directly from program distributors.²

A second major source of programming is the so-called "first run" syndication market.³ These programs are developed and created by the Hollywood community and sold directly to local stations.⁴ Recent examples of these shows are "Star Trek the Next Generation," "Kung Fu: The Legend Continues," "Untouchables" and "Time Trax." The first run market is in its nascent stage. Top quality first run programs like these have become available only recently. It is still unclear whether this will be a viable market long term.

Third, Independent stations purchase theatrical movies from the major studios, such as MGM, Disney, Paramount and Warner Bros. Importantly, these movies are

²This situation may change in the near future. The FCC recently gave the networks the right to secure financial interests in programming that appears on their network. Moreover, it is possible that in three years, the networks will be actively selling "off-network" programs directly to local stations. The net effect of the Commission's decision is to give the existing networks greater control over the distribution of programming for all television stations, even the Independent stations. See *Second Report and Order: Evaluation of the Syndication and Financial Interest Rules*, MM Docket No. 90-162, FCC 93-179 (released, May 7, 1993).

³First run syndication is not limited to Independent stations. Programs such as "Entertainment Tonight," "Wheel of Fortune" and "Jeopardy" are currently sold directly to network affiliated stations.

⁴In this regard, program development in the first run market differs from the network development process. With network shows, the networks themselves are involved in the initial financing, creation and development of a program. The network then sells advertising and feeds the program to its affiliates across the country.

In the first run market, a Hollywood studio develops the program. The program is then sent to a program distributor, which typically is a subsidiary of the studio. The distributor sells national advertising spots and syndicates the show directly to local stations. Each local station decides whether it wants to purchase the program. In order for the "first run" market to work, the program distributor must get a sufficient number of stations to purchase the show in markets across the country. Stations are rarely involved in the creation or development of the program.

not necessarily the same as those that appeared in movie theaters.⁵ The movies are subject to several levels of editorial oversight.

Distributors syndicating the programs to broadcast television stations edit the movies into a form they believe is suitable for television. Local television stations purchasing the rights to these movies may edit the programs further, in order to meet the tastes and interests of the local market.⁶ Thus, movies that were originally rated "R" are edited and differ from the version appearing in theaters.

The editorial procedure employed at my station provides an example of an Independent station's editorial process. Initially, my station reviews a movie package before it is purchased. Once a movie is purchased it is screened by the programming department. If there are scenes which contain foul language, explicit sex or excessive violence, we will edit the film.

Finally, many of the programs we purchase from program distributors are so-called "barter" shows. In these cases, the *program distributor* has already inserted a certain number of advertisements in the program. When we acquire the program, we are bound contractually to broadcast the program. Many contracts require that the program be aired at a specific time. Accordingly, once a "barter" program or series is purchased, we cannot simply take the program off the air without incurring contractual liability from the program distributor.

2. Program acquisition: economic leverage and content control

Even though Independent stations generally do not participate in the creation of entertainment programming, one may argue that we could use our purchasing power to limit the violent content of television programming. However, to accomplish this, Independent stations must have sufficient economic leverage over program suppliers. For example, the networks, are in a superior position to control content because of their superior bargaining position with the creators of television programming.

Unfortunately, Independent stations, as purchasers, have very little economic leverage over program supply. Most Independent stations are not market leaders. We lack the economic leverage to exercise creative control over entertainment product at the production stage. Indeed access to top quality product has always been a problem. For example, in response to the new Children's Television rules, many Independent stations acquired the rights to "Beakman's World," a highly acclaimed science program for children. This program has been such a success that CBS recently purchased the program away from Independent stations for next season.

Our ability to exert leverage as program purchasers is reduced further as cable becomes a stronger player in the program acquisition market. In 1992, television networks' spending on entertainment programs accounted for 38.4 percent of all expenditures on entertainment programs. Cable networks accounted for 27.9 percent of program expenditures. In other words, the major broadcast and cable networks accounted for 66.3 percent of all programming expenditures.⁷

Local stations accounted for only 19.5 percent of all expenditures. Importantly, this includes both expenditures made by Independent stations and local stations that are affiliated with a major network. Barter syndication, accounted for 15.1 percent of all programming expenditures.⁸ Again, a significant amount of the barter statistic includes barter programs that are sold to network affiliated stations. By all

⁵ Most if not all of the films appearing on Independent stations have appeared previously on television. Generally, after the theatrical release a movie will be released to the home video market. Shortly thereafter the movie is released to a pay-per-view service. It then will appear on a subscription cable service such as HBO, Showtime or Cinemax. The movies appearing on video rentals, pay-per-view and subscription services are, for the most part, the same version as the theatrical release. Thus, if a movie was rated "R" for theater exhibition, it will retain that designation.

⁶ Often a major theatrical motion picture is sold to the major networks. The film is then edited by the standards and practices divisions of the respective networks before it is sent to affiliated stations. There are many instances where Independent stations acquire the rights to movies only after the movie has previously appeared on the networks.

⁷ Veronis, Suhler & Assoc., Communications Industry Forecast, June 1992 at 137.

⁸ "Barter syndication" involves the process in which a distributor pre-sells national advertising in a program. The program is then distributed directly to local stations with the advertisements already inserted. Local stations purchasing the program have the ability to insert additional local advertisements.

Including national spot advertisements in the programming reduces the cash costs of the program for local stations. The program distributor has already received part or all of its compensation directly from national advertisers. Barter arrangements can vary. In some instances, the distributor has pre-sold all the advertising. In other cases the program distributor will pre-sell some of the advertisements and the local station will add additional local spots. Often these arrangements will involve a combination of barter arrangements and cash payments from the local stations.

accounts, Independent stations lack the economic leverage to dramatically affect the creation and development of program content.

Nor is the situation likely to change. Assume for example, there is a highly popular movie or series that contains violence. Independent stations have essentially two choices. We can acquire the rights to the program and edit it. Alternatively, we can simply refuse to purchase the program. The latter alternative is becoming an increasingly unrealistic solution. If the program is popular, it will be purchased by another television station or one of the cable networks.

The competitive nature of the business raises an important point. Any effort to deal with the issue of television violence must focus uniformly across all media distribution systems. This includes, broadcasting, basic cable networks, pay-per-view, subscription channels, and other services such as MMDS, DBS, video dial tone program packagers and home videos.⁹ There is no question that if standards are imposed on one segment of the industry, viewers who wish to view such programming will simply shift to program services that are not subject to the same restrictions.

3. Scheduling

Unlike the networks, I am not able to provide you with a specific prime time lineup for all Independent stations. As noted previously, prime time programming will vary station by station and market by market. Nevertheless, there are some general observations that can be made for the typical Independent station.

On weekdays, Independent stations often program kids shows from about 6:00 to 9:00 AM. For the most part this programming consists of animated "cartoon" programming. However, with the advent of the Children's Television Act, programs that are designed to meet the educational and informational needs of children are being added to the morning lineup. For example, at my station we broadcast "News for Kids" during the morning time period and we produce "Kid Talk" a local talk show which addresses subject matter important to children.

From about 9:00 AM to 2:00 PM, Independent stations generally air a mix of "off-network" and "first-run" programs. For example, on my station we air off-network programs such as "Gimme a Break," "Little House on the Prairie," "Happy Days," "Amen," and the "Hogan Family" during this time period. Also we have broadcast the "Montel Williams Show," a talk show at 10:00 AM.

From about 2:00 to 4:30 PM most Independent stations are airing children's animated programs. For example, many stations are airing an animated cartoon block from Walt Disney called "The Disney Afternoon." On my station I program animated features such as "Widget," "Heathcliff" and "Bugs Bunny."

At about 4:30 or 5:00 PM most Independent stations are shifting back to family oriented "off-network" programs. Typically shows such as "Family Ties," and "Who's the Boss" are aired during this time period. On my station we broadcast "Happy Days," "Sanford and Son" and "Roseanne," during this time period.

On the east and west coast, most Independent stations are broadcasting recent off-network programs between 7-8 PM (6-7 PM central). Generally these programs, situation comedies such as "Cheers," "Murphy Brown" and "Roseanne", are aired in the 7-8 PM time period. My station, WPWR, broadcasts "Star Trek" from 6-7 PM central.

From 8-10 PM eastern (7-9 PM central) Independent stations generally shift into their prime time lineup. For example, several nights each week an Independent station may broadcast a movie from 8-10 PM. Also, the new "first run" shows such as "Star Trek Deep Space Nine," "Kung Fu: The Legend Continues," "Time Trax," and the "Untouchables" often begin at 8 PM, eastern (7 PM central). Those Independent stations with the rights to Major League Baseball, NBA basketball or National Hockey League will broadcast games during this period.

At 10 PM eastern (9 PM central) many Independent stations broadcast their local news. Others continue with a variety of "off-network" or "first run" programs. This pattern continues through 12 midnight.

On weekends the average Independent format begins with children's programming from about 7:00 AM to 11:00 AM. Again this time period largely consists of children's programming. At around 11:00 AM stations will broadcast "off-network" or "first run programs." Typically an Independent station will broadcast movies from

⁹Congressional efforts to reduce societal violence, by limiting media violence, will fail if alternative delivery systems are not subject to the same set of rules. It does little good to restrict programming on off-air television stations when violent programming is readily available on pay cable services and video rentals. The fact that people voluntarily purchase such cable services would seem to be irrelevant. The purported societal effect is the same, regardless of voluntary payment.

2-5 PM. Beginning at 5 PM stations will generally broadcast "off-network" or "first run" programs for the rest of the evening.

Taking a realistic look at our weekday schedules, it is highly unlikely that you will see a violent program broadcast before 8 PM (EST). Prior to this time, most of the "off network" or first run programs are family oriented situation comedies. Also, most Independent stations will not air promotional material for violent movies during morning or afternoon children's programs. Moreover, we won't accept advertisements for "R" rated theatrical movies during this time period.

It is possible that movies broadcast after 8 PM may have violent content. It is during this time period that Independent stations should take steps to limit violence and advise parents that the movie may contain scenes that they would consider objectionable for children. INTV is aware that there are some young children, ages 2-12, in the audience during prime time. However, the vast majority of children viewing during prime time are viewing non-violent situation comedies.

We must also be concerned about our weekend movie schedules. For this reason our editorial standards are stricter for weekends when there may be more children in the audience.

Interestingly, even though some violent programs may be broadcast in prime time, a review of children's viewing patterns in Chicago reveals that the most popular kids shows contain very little violence.

CHILDREN'S VIEWING (AGES 2-11)

Prime Time 7-10 PM Central, Mon.-Fri. February 1993, Source: Arbitron

Program	Rating
Simpsons	26
Martin	24
Full House	23
Dinosaurs	22
Family Matters	21
Step by Step	21
Hang'n w/Mr. Cooper	19
Wizard of Oz (movie)	19
Fresh Prince of Bel Air	18
Home Improvement	18

On balance, Independent stations recognize that some of the programming aired on our stations may contain arguably violent content. We will endeavor to take steps to reduce this level of violence through additional editing or by scheduling this programming at a time when there are fewer children in the audience. Where violence appears in our programming, parents should be given appropriate advisories.

I do not raise these background facts in an effort to absolve Independent stations of responsibility. Rather it is simply to demonstrate that, in the current competitive environment, local stations have very little leverage over our major program suppliers. Also, we are unable to rely on a centralized network to edit and develop programming. Finally, most children are not watching prime time programs that contain high levels violence.

Nevertheless, as federally licensed television stations, we are responsible for what is broadcast over the airwaves. As licensees, we have an obligation to respond to Congressional concerns regarding our performance. The principals and advisories recommended by INTV fulfill these responsibilities.

II. INTV'S STATEMENT OF PRINCIPALS AND ADVISORY MESSAGES

The following outlines the basic principals established for INTV member stations. This program will be part of a continuing campaign conducted by the association to assist its members on issues regarding television violence.¹⁰

- Violence should be depicted only when necessary, and to no greater extent than necessary to the development of the story line, plot, context or theme of, or character in, a television program.
- Depiction of violence in such a way as to glamorize violent behavior or to ignore or trivialize its consequences to either the victim, the perpetrator, or society should be avoided.

¹⁰ A copy of our policy is attached to this testimony as Exhibit 1.

- Depiction of violence in such a way as might be instructive or as might suggest imitative behavior should be avoided.
- Presentation of programs depicting violence and the depiction of violence should not be undertaken solely as a means of exploiting or shocking the audience.
- The depiction of violence in a sexual context requires special sensitivity with respect to its potential to exploit, debase, demean, shock or stimulate. Violence never should be depicted so as to appeal to the prurient, interest of the audience.
- Graphic or detailed depiction of violence or dwelling on gore, pain, or physical suffering should be avoided.
- The special needs of children should be considered, and special care should be taken, in scheduling and editing of programs and promotional materials which include the depiction or description of violent behavior.
- Depiction of violent acts in a manner which might distress or frighten children should be avoided in programming intended primarily for children.

The above policies are intended to apply to entertainment programming and promotional materials. The policies are not intended to inhibit journalistic or editorial discretion in the coverage and reporting of news or sports events.

INTV's program goes beyond basic guidelines. Stations are encouraged to inform viewers through appropriate on-air advisories that specific programs contain depictions of violence so that viewers can make informed viewing decisions. INTV's program provides examples of the type of advisories that stations may employ.

- The following program depicts violent acts or behavior.
- The following program depicts violent acts or behavior. Viewer discretion is advised.
- The following program depicts violent acts or behavior which may be unsuitable for children. Parental discretion is advised.
- The following program involves realistic portrayals of human behavior, including acts of violence, which may be disturbing to some viewers.
- The following program involves realistic portrayals of human behavior, including acts of violence, which may be disturbing to children. Parental discretion is advised.

INTV plans to conduct a continuing program, sensitizing its membership on this important issue.

Realistically, INTV cannot force stations to comply with this program. As a result, compliance with the principals established and use of the advisory messages must, of necessity, be voluntary.

III. EXPLANATION OF INTV POLICY STATEMENT

1. Rating violence: definitional problems

There has been much discussion about the possibility of enacting a specific violence rating index similar to that presently used to rate movies. On its face, the proposal appears to have some merit. However, on closer examination, rating degrees of violence proved to be a difficult, if not impossible task.

Social scientists themselves have never been able to agree on a definition of violence. For example many of the "laboratory" studies purporting to find a relationship between video messages and violence have defined violence differently. Some measure violence in terms of brief video clips which do not provide any context for the violent acts. Some researchers such as Gerbner consider comic acts, such a slapstick, violent. In testimony before the House Telecommunications Subcommittee Professor Nancy Signorielli released new evidence regarding violent programming during prime time on the networks in February 1993. Not surprisingly she found violent programs broadcast during this period.

However, one can question whether the programs rated as being violent, are in fact the type of programs that most members of the Senate would be concerned about. Professor Signorielli's testimony stated:

Interestingly, the *most* violent genre in this week-long sample was the variety shows, including specials on "Television's Greatest Moments," "TV's

"Funniest Commercials," and the 25th Anniversary of Rowan and Martin's "Laugh In."¹¹

I raise this issue not to criticize Professor Signorielli's efforts. But there are profound definitional problems when crafting standards that attempt to measure degrees of violence. I doubt anybody on the Subcommittee would have considered these variety shows as violent programs.

In developing our advisory guidelines, we spent a significant amount of time debating the specifics of a rating index. We found that the definitional problems increase as we attempted to measure gradations of violence. In the end the definitional problem, made enactment of a specific rating system an impossible task.

Moreover, Independent stations have no centralized process to provide uniform ratings across the country. Editorial decisions are made by local stations.¹²

At bottom, we recognize that definitional problems still exist with a system based on parental advisories. There will always be a threshold question whether a particular program contains violence. Do the slapstick antics of "Rowan and Martin" warrant an advisory label? Frankly, I believe most reasonable people would not consider this a violent show. If such shows are labeled, then the advisories will lose all meaning.

Like obscene and indecent program content, reasonable people acting in good faith know violence when they see it. The key is to increase the level of awareness among all the media. Increased sensitivity, and good faith judgment, will result in providing advisories for the types of programs about which Congress is rightfully concerned.

2. Parental advisories: forbidden fruit

There has been some discussion whether advisories or rating systems would effectively curtail children from viewing television violence. Some have argued that a violence rating scheme would actually attract younger viewers to such programming under a forbidden fruit theory. Others believe such a system will, at the very least, provide additional opportunities for parents to monitor their children's viewing.

It is possible that creating a specific violence rating may serve to attract children. Older children and younger teens may be drawn to movies with higher violence ratings. This was a key consideration in looking at a violence rating index for Independent stations.

The issue becomes what is the fundamental purpose of a rating system. From our perspective, we believe that such a system is important to inform parents. Informing parents about violent content is the most socially responsible thing to do. All things considered it is better to notify parents in advance about the content of programming that is on television.

Adopting parental advisories accomplishes both objectives. It will provide parents with the necessary information to monitor their children's viewing. At the same time it will not create a perverse system that could be used by older children and young teens as an index to measure the most violent programs.

IV. CONCLUSION

INTV is ready and willing to work with other media institutions to reduce the levels of violence on television. We believe the various industries can come together and develop a program that will work without the need for specific legislative remedies. Voluntary industry action is clearly preferable. It will avoid the profound First Amendment problems associated with government imposed labels or content regulation.

¹¹ Testimony of Professor Nancy Signorielli before the House Subcommittee on Telecommunications and Finance, May 12, 1993, at 3.

¹² Even if centralized program editing existed, creating a rating system would be an almost impossible task. The more specific the rating, the greater the definitional problem as one attempts to define degrees of violence. More importantly, there are thousands of television programs broadcast each year. The expense and burden of rating all television movies, each episode of a series, and all other content is a monumental task. The current movie rating system, would dwarf in comparison to a television rating system. Independent stations simply lack the economic resources to create such an entity. Finally, since each station has the ability to edit programs, a uniform rating system may prove to be useless. For example, a centralized television review board may rate a particular movie as being violent. However, if the station decides to edit out the objectionable part, the violence rating would be incorrect. Finally, there is the question of bias. Whatever entity conducts the review and rates programs must make sure that programs designed for broadcast stations are not subject to stricter standards than programs designed for other media distribution systems.

There is one important element that deserves mentioning. Competition in the video marketplace is fierce. If the industries develop a uniform set of standards, then they should be applied uniformly to all cable channels, including subscription and pay-per-view services. Over the past few years, Independent stations have seen the audiences for movies dwindle precisely because we are editing our movies. If standards are not applied across the board, I have no doubt that audiences will shift to program services that do not edit program content. There will be significant competitive consequences if the broadcast industry is subject to higher standards than the cable or home video industries.

INTV is willing to do its part. Our newly enacted program is a step in the right direction. Senator Simon has given us the opportunity to act responsibly. We will endeavor to use this opportunity wisely.

Senator SIMON. Thank you. Your point on cable is well taken, and the last hearing we had, we had cable here. The reality is cable has not—while they have made some progress in terms of moving toward both studies and standards, it has not moved as far as the broadcast industry has, and this is one of those things that we are going to be taking a good look at.

I confess, I have not seen your guidelines, and I want to make sure my staff gets me a copy of your guidelines. How would you compare those guidelines to the standards agreed to by the three networks?

Mr. DEVANEY. They might be a little more specific in the sense that, as I mentioned in my testimony, we have to edit individually at each station. So we have tried to be a little clearer in terms of the kinds of things we think stations ought to do so that they can then develop those policies within their individual editing processes.

Senator SIMON. Mr. Gabbard, have your stations established any kind of guidelines or have they agreed to the industry standards, and particularly—and this applies obviously to both of you—one of the things the network say is we don't control everything these local stations put on, and some of the worst programs are put on by local stations that we have no control over.

Mr. GABBARD. Senator, we follow the NAB statement of principles, which is pretty well specifically laid out, and I know of no written policy right now, if you are talking about the association.

Senator SIMON. Your association.

Mr. GABBARD. There is not a written policy, but we have begun dialog.

Senator SIMON. All right. I guess what I would like to see is that you move beyond dialog. I think adopting some kind of written standard, even though it is as subjective as the network standards—frankly, they are very loose compared to the British standards, but at least some standards, it seems to me, help to guide what you do.

Mr. Palley or Mr. Goldberg, either one, how would your programming fit into with the standards that the networks have adopted?

Mr. PALLEY. I don't think our programming is of the type that the standards are applicable to at all. Most of the standards are applicable to fictionalized programming. Our game shows are just inappropriate for standards.

Senator SIMON. No, I am not talking about the game shows or "Oprah Winfrey." "Inside Edition," the docu-dramas—those are the kinds of things where I think we—

Mr. PALLEY. Well, we don't do any docu-dramas.

Senator SIMON. OK.

Mr. PALLEY. And "Inside Edition" doesn't do any recreations. You know, the standards we use on "Inside Edition," which is a news magazine program, is that it is a newsworthy subject and that it have some connection to societal concerns. I am not familiar with the network standards, so I can't say how they would apply to that.

Senator SIMON. Could either you or Mr. Goldberg take a look at the network standards and send me a letter? We will include your letter, then, in the record for the hearing.

Mr. GOLDBERG. Sure.

Senator SIMON. Senator Kohl?

Senator KOHL. Thank you, Mr. Chairman, I have no questions.

Senator SIMON. We thank you very much for being here. I want to thank Senator Kohl for joining in this hearing, and his subcommittee. Our hearing stands adjourned.

[Whereupon, at 1:17 p.m., the subcommittees were adjourned.]

A P P E N D I X

ADDITIONAL SUBMISSIONS FOR THE RECORD—MAY 21, 1993, HEARING

PREPARED STATEMENT OF BRIAN L. DYAK, PRESIDENT AND C.E.O., ENTERTAINMENT INDUSTRIES COUNCIL, INC.

Mr. Chairman and members of the subcommittee, the Entertainment Industries Council, Inc. (EIC), a not-for-profit organization, appreciates the opportunity provided by the Subcommittee to present this statement as part of its hearing of May 21, 1993.

EIC has been active since 1983 in promoting the cooperation of the entertainment industries with public and private organizations—including government—on behalf of public interest issues. In 1985, in preparation for the hearings of the Permanent Subcommittee on Investigations, EIC worked closely with Senator Roth in developing entertainment media involvement in the national effort to curb the use of alcohol and other addictive substances. At that time Larry Stewart, an EIC Board Director, speaking on behalf of the Caucus for Producers, Writers, and Directors and the industry, expressed its position as follows:

We feel that those of us who attract the attention of our youth with our films need to be responsible to them in the signals we send under the title of entertainment * * * that we stop selling our youth on a lifestyle that must include alcohol use to excess and drug use at all * * *

Since the 1985 hearings, EIC, along with a broad spectrum of the entertainment industries, has worked successfully in changing the way in which the entertainment industries depict alcohol and drug usage. We believe that we have made good on the intent of Senate Resolution 472 of the 98th Congress, which commended "the members of the entertainment industry, especially the Entertainment Industries Council, who are working * * * to effectively discourage the use of drugs in our society * * *"

EIC strongly believes that the initiative hailed by the Senate in the field of alcohol and drug abuse applies with equal force to the issue of violence in our society. We believe it is both premature and self-defeating to assume that the entertainment industries are either unwilling or incapable of acting in a socially-positive manner. We take issue with the position of Brandon Centerwall that the economic motivations of the entertainment industries are of necessity opposed to the general welfare.

We base this belief first on our own experience and the record of participation by the entertainment industries on behalf of the public interest. The resulting activities are not only of major social value, but also enhance the economic strength of the entertainment fields by promoting employment, increasing markets, and otherwise extending the profitability of entertainment products.

The issue of violence in our society is a close cousin to the problems of substance abuse. In fact, not only can much personal and family violence be traced to the effects of alcohol and other drugs, but increasingly, violence is seen as arising from the competition for profits resulting from the sale of illegal substances. Entertainment media and their products have performed considerable valuable work in educating young people to the effects of substance abuse and in stimulating community

efforts to develop successful prevention programs. We believe the experience of the entertainment industries in combating substance abuse can provide the basis for equally effective actions in fostering non-violent means of conflict resolution. The voluntary cooperation of entertainment organizations and of individuals in the industries in the fight against alcohol and drug abuse can provide models for addressing violence in American society.

EIC has reached this conclusion based upon its own concrete experience in enlisting and maintaining the effective support of the entertainment field on behalf of several major public interest issues.

ENTERTAINMENT AND THE PUBLIC INTEREST

Whenever our country has faced a war, catastrophe or major health problem, it has called upon the men and women of the entertainment industries for assistance. They have always responded and have been properly and widely recognized for their contributions on behalf of individual causes. However, within the past 10 years both the entertainment field and public interest organizations have realized that while such single-issue campaigns are both needed and worthwhile, they are not sufficient to address some of the complex and deep-rooted problems that impact on contemporary American life. Such a reconsideration is now very evident in national strategies in the field of alcohol and other drug abuse prevention. It is equally required in combating violence.

Thoughtful leaders in the entertainment industries now agree that the relationship between entertainment and the culture as a whole is both complex and unique. Entertainment's special capability to both impart factual knowledge and to affect our emotions, to evoke feelings, to influence attitudes, makes its relationship to the total culture inescapably interactive. There is, therefore, a developing sense that the entertainment industries have both a special stake in preserving and a responsibility for promoting the fundamental values and belief system that distinguish our culture. Furthermore they have a significant role in helping to change attitudes and behaviors that would weaken or destroy these values. It is, in large measure, this understanding that motivated the industries in their support of the fight against alcohol and drug abuse and AIDS, as well as other public causes.

At the same time it is important to recognize that the strength of entertainment products to move people rests precisely on their ability to focus on the changing values in our society upon which our culture has not achieved consensus. Such issues as the differences in outlook between generations; the changing concepts of social and personal behavior; the impact of ethnicity and its evil stepchild, racism; and the conflict between individual needs and societal pressure for conformity—these provide many of the themes that are the lifeblood of film, TV, music and other entertainment products that account for their continuing popularity.

The great creative artists of our culture have always taken up the challenge of issues of this kind. They have always been central to the on-going process of articulating values and developing consensus. But they have always done so without sacrificing their artistry or violating the integrity of the product in their eagerness to deliver a message. This same concept applies to our nation's effort to grapple with the issue of violence.

In pursuit of its mission to use entertainment for public service, EIC has employed this insight in seeking to change personal and community behavior. A good example is the Buckle-Up campaign, which has enlisted hundreds of entertainment figures in helping to increase safety belt usage from 12 percent in 1986 to more than 60 percent today. It is estimated that this campaign has resulted in more than 50,000 lives saved, and an unmeasured reduction in less serious casualties and wasted dollars.

Similarly, following EIC's activities and those of others in the entertainment industries, which have addressed AIDS, smoking as well as various other safe driving behaviors, positive changes have been seen in the way people generally are treating these personal and community problems.

Considerable time and effort has been expended by EIC in the development of media-based products designed specifically for public service promotion.

These messages are important and consequential, but they do not command either the interest or the persuasive power that resides within the commercial entertainment products. How these issues are "depicted" in film and on TV is critical to the role of the entertainment industries in meeting their social responsibilities.

EIC, therefore, has taken the lead in developing a "Depiction Notebook" with the assistance and guidance of the field, which provides depiction suggestions to writers, producers, and other creative personnel in their work-related treatment of complex

social issues. The notebook is constantly being expanded as new issues and areas are reviewed.

A major reason for the wide acceptance of the Depiction Notebook is put forth in its introduction:

The suggestions are not intended to set limits on free expression or provide a set of formally articulated guidelines that should alter the content of all productions. Rather, they are intended to serve as a reference tool that will expand creative opportunities and directions for producing insightful, thought-provoking entertainment.

In the opinion of EIC, the concepts which resulted in the depiction notebook and which have been shown to be effective in using commercial media to shape public attitudes and behavior can be applied to violence. In that effort, the media can be enlisted as an integral element and can play a significant role. EIC's experience has shown that this is best accomplished by recognizing and adhering to the following:

1. The major goal of entertainment media in the effort to control violence should be to change behavior. Specifically, it should promote the normalization of non-violence as the preferred and most effective method to resolve conflict. Violence, when visually portrayed, should be seen as an exceptional, last-resort and worst-choice method of human conduct rather than dwelling on the physical details of violence itself. The consequences of violence in both its social and personal aspects should be explicitly depicted.

2. It should be clearly understood that acknowledging the efforts of the entertainment industries, past and present, to promote pro-social values is more likely to stimulate similar efforts than are accusations, recriminations or threats.

3. The entertainment industries both individually and through group spokespersons should accept their role as both interpreter and guardian of the consensual social values and beliefs, and specifically take on a major part in combating violence.

4. To fulfill their responsibilities most effectively the industries must safeguard the artistic and entertainment quality of their products. Only by so doing can they attract the viewing and listening public. Means to achieve this goal without weakening the message should be explored and developed.

5. The people who make up the entertainment industries reflect our society's diversity and heterogeneity. As citizens and individuals they share in its values and suffer from its weaknesses. Consensus on methods for reducing violence require a voluntary, freely-given, and democratic process in which differing points of view are expressed, respected, and evaluated.

6. Any procedures or organizational mechanisms established as a means of ensuring industry participation should be under the control and direction of the industries themselves.

7. All entertainment products, those of the new technologies as well as traditional media, should be able to meet the standards with respect to the depiction and treatment of violence, regardless of their original point of production or means of distribution. This underlines the need for industry-wide participation in the anti-gratuitous violence effort.

8. The entertainment industries should seek out the advice and counsel of the public interest sector, including government. This relationship should be consultative and with the minimal degree of formal action by any party.

9. Bearing in mind the international significance of the entertainment industries with respect to the position of the United States in the world, two factors need to be considered:

a. The export value of our entertainment products is vital to maintaining our country's economic position. Any measures that might seriously impact market share should be thoroughly evaluated before adoption.

b. Entertainment products originating overseas are not only international competitors of U.S. entertainment products but occupy a market position within the U.S. The treatment of violence in these products require that the U.S. entertainment industries consider the extension of its activities in combating violence to its international affiliates and associates.

PROPOSED ACTION STEPS

Network television, together with television stations, cable networks, and cable system operators, have already begun to address the issue. Indeed, an industry conference on violence is scheduled for later this year. EIC applauds this initiative that exemplifies the social responsibility of the convenors and represents a much needed step on the path to even more effective efforts to address the concern about violence and its depiction. It also underscores the need to involve all elements of the entertainment industries. EIC is prepared to take an active role in both of these efforts.

Because of our faith in the sound motivation and sincere concern of the entertainment industries as a whole, we believe that EIC can be most effective as a moderator, convener, and meeting ground for further discussion and action. We suggest the following steps for consideration by the industry and will make our organization available as requested to expedite them:

1. Following the lead of television, each of the other sectors of the entertainment industry (film, music, etc.) should seek to develop consensus on the issue of combating violence. At the same time, steps should be taken across all entertainment industries to convene an all-industries conference to develop a program on combating violence for the entire field of entertainment.
2. With the assistance of its industry-based advisory committees, EIC will develop suggestions for the treatment of violence, following the concepts used in the Depiction Notebook. Public interest groups will be consulted throughout the process.
3. EIC will conduct a survey on the entertainment industries' actions to combat violence in the past and present, and steps proposed for future action. The results of this survey will be made public in early 1994.
4. EIC will undertake to find resources to conduct further research on five key questions relating to violence:
 - a. What is the economic impact of social marketing?
 - b. What is the relationship between entertainment and the American culture as a whole?
 - c. How can industry planning and practice benefit from a clearer understanding of this relationship?
 - d. What effect will new communications technology have on the treatment of social issues in the entertainment media?
 - e. To what extent is violence portrayed on the world entertainment scene?

All interested parties in the continuing national debate as to how to combat violence have an important stake in developing a free and open discussion. This dialogue can best continue in an atmosphere of mutual respect and sincerity. Recriminations and finger-pointing over past events will not advance the central purpose and may well only serve to block useful exchanges.

EIC's only objective: the development of greater accord between the entertainment industries and the organizations and individuals concerned with the nation's well-being. The Entertainment Industries Council, Inc. offers these suggestions and will welcome others that can assist our nation and the world in lowering the level of violence everywhere.

PREPARED STATEMENT OF SUSAN LAMSON, DIRECTOR OF FEDERAL AFFAIRS,
NATIONAL RIFLE ASSOCIATION, INSTITUTE FOR LEGISLATIVE ACTION

On behalf of 3.1 million members of the National Rifle Association of America, extend to the committee my appreciation for this opportunity to express the views of law-abiding firearm owners on the topic of television violence and its impact on America and her youth.

The primary mission of the NRA is the promotion of the responsible use of firearms and the protection of the Second Amendment rights of all Americans. We are equally committed to the entire Bill of Rights, believing strongly that an effective democracy requires strong protection for the responsible exercise of personal freedoms. The key to resolving the effects of television violence is responsibility. Parents, teachers, community leaders, and others tasked with providing moral guidance to our youth, must take a more active role in shielding young people from depictions, and actual graphic pictures of gratuitous violence.

To the extent that this committee is able to focus attention on the nature and impact of TV violence, it will have served a useful function. If nothing else, it would

refocus attention on the idea that television is a guest—not a member of the family. To the extent that television shares and reflects the values that parents are attempting to instill in young people it should be allowed to visit. When it does not, it should be shown the door.

As society has grown complacent about shielding young people from violence and graphic sex as portrayed on television, in movies, and in the music of the day, young people clearly show evidence of having become immune to its consequences.

Far too many parents have forgotten that their children have no "right" to watch television. The channel changer is an amazing screening device when properly used. And, more to the point, parents can have a tremendous effect on programming by writing stations and advertisers lodging their objections to anti-social behaviors depicted daily on our television screens.

As the most open and free society in the world we must care for individual adherence to a code of self discipline, self-decency, respect for the rights of others, and responsibility for the consequences of our behavior, to maintain the collective order. Our nation has traditionally relied on the family, religious institutions, and our schools to instill in young people the moral and spiritual values which enable our freedoms to be understood, fully exercised, and enjoyed. Yet clearly, when these traditional mechanisms are unable to perform this role, the structure breaks down, and with it the guidelines governing moral behavior. It is this problem with which we are faced and which requires an immediate two-pronged response.

There is no conceivable way that government can step in and replace the role of the family; it can't be done. And quite frankly, without them, the schools don't have a fighting chance. Therefore, in the long term, resolving the underlying problems which have led us to this juncture is absolutely essential to our survival as a nation. Why this occurs and how it can be prevented goes to the heart of the issue which is before this committee.

The relationship between electronic mayhem and street violence is not lost on cities caught in the crossfire of youth violence. According to Washington, D.C.'s *Homicide Report 1992*, "[T]he majority [of inner-city teenagers] mentioned rap groups as their favorites with about half mention[ing] rap artists whose songs are commonly distinguished for their violent and antisocial messages * * *. [Violence in entertainment media] creates fantasies of power and control for many who find themselves living in a grim reality where helplessness prevails. Consequently, such persons may be prone to act out their violent fantasies when frustrated, angry, or under the influence."

Nor is the relationship between violence on the screen and violence on the street lost on social scientists, either. A study by Northeastern University found that the number of 17-year olds arrested for murder climbed 121 percent from 1985 through 1991. 16-year-olds: 157 percent. 15-year-olds: 217 percent. Because the younger, more violent prone segment of society was *decreasing* as a percentage of population, experts had actually predicted a decline in homicide—what they termed a "demographic dividend." It didn't happen.

Nowhere in the USA can a teenager legally purchase a handgun from a commercial dealer. Yet, in perhaps the most chilling indictment of "gun control" and its inability to impact gun use in crime, overall homicide rate has climbed 24 percent since 1985, because kids, not grown-ups, are killing more.

Last year, Professors Joseph Sheley, Zina McGee and James Wright published "Gun-Related Violence In and Around Inner-City Schools"—the results of a cross-sectional survey of ten inner-city high schools in several states. Noting that "nearly everything that leads to gun-related violence among youths is already against the law," the researchers' prescription was neither more gun restrictions nor shake-downs of students, but "a concerted effort to rebuild the social structure of inner cities."

Sheley, McGee and Wright found that violence in our schools does not spring from the classroom floor: "Rather, violence spills into the schools from the world outside * * *. Structurally, we are experiencing the development of an inner-city underclass unlike any in our past. In a shrinking industrial economy, we are witnessing the disintegration of the traditional family, increasing poverty and homelessness, diminishing health, and deteriorating educational institutions."

In a related work, Wright and Sheley echo the theme of a crumbling social structure that leads our nation's youth to violence: "Isolation, hopelessness, and fatalism, coupled with the steady deterioration of stabilizing social institutions in the inner city * * * have fostered an environment where 'success' implies predation and survival depends on one's ability to defend against it."

In recent years, television has played both villain and hero. As a stabilizing social institution, reinforcing social mores, influencing and often inspiring youth to achievement, television is virtually without parallel, particularly if universality of

access is the primary determinant criterion. Television is a companion to the elderly, a babysitter to the young, and a source of entertainment and education to all.

In the role of advocate, television has had a pivotal role in shaping youth behavior—from “stop smoking” to “say no to drugs”. Even apart from these efforts—at the very least, television did not undermine efforts by society at large to encourage youth to stop ingesting harmful substances.

In relationship to the issue of violence on the screen, whether real or depicted, the scenario is less sanguine. Today, young people—even children at the youngest, most impressionable age—ingest overdoses of gratuitous violence, in many cases coupled with irresponsible use of firearms, a marked lack of respect for the sanctity of life, or any emphasis on the moral consequences of their actions, on television screens.

With the proliferation of cable television channels and the need to fill large blocks of programming time, the problem has grown almost exponentially. Moreover, the accessibility of even relatively sophisticated adult themes frequently incorporated into modern film fare, is no longer confined to “prime time”. In fact, even excluding graphic “trailers” or commercials for upcoming programs of a violent nature, it is hardly an exaggeration to say that a portrayal of a violent act is occurring on television at nearly every hour of the day on at least one channel. If one includes the ubiquitous 24-hour news programs, repeated acts of graphic violence are available on a “on the hour” basis. To suggest that this does not have an inuring effect is to make the argument for the validity of a program such as *Sesame Street* in reverse. We know that showing children repeated sequences of counting, colors, or alphabetic exercises is a way of educating without teaching. To think that repeated exposure to senseless violence, or worse, those mediums which portray violence in a sensual or fulfilling manner, are not having commensurate effects is disingenuous at best.

Arguably, the sheer preponderance and intensity of violent, antisocial TV programming has made the medium a potentially destabilizing institution, undermining social mores and devaluing human life. If it inspires youth at all, television is, to borrow a phrase from Sheley and Wright, often inspiring youth to equate criminal predation with success.

When television subjects youth to thousands of hours of terrorism, brutality and violence, the result is more than a mere tendency among young people to act out in violent ways. Antisocial TV programming unleashed in a culture of isolation, hopelessness and fatalism fosters a subculture of violence in which values are upended and brute force rules. We are witnessing *Lord of the Flies*, circa 1993.

As University of Washington epidemiologist Brandon Centerwall, Ph.D., noted before this distinguished body, this industry is responsible for an endless parade of gratuitous violence and irresponsible use of firearms which exposes American youth to 200,000 acts of violence, including 40,000 murders, on television alone. Centerwall has demonstrated “a positive relationship between exposure (to television violence) and physical aggression.” Based on his research, Centerwall notes in *Public Interest* that, “if, hypothetically, television technology had never been developed, there would be 10,000 fewer homicides each year in the United States, 70,000 fewer rapes and 700,000 fewer injurious assaults. Violent crime would be half what it is.”

The NRA is interested in this issue for a number of reasons, not the least of which is the consequences for law-abiding gun owners. Repeatedly and consistently, television “entertainment” typecasts the gun owner as the criminal and the gun as his or her tool. And while “the right to defend oneself against deadly attack is fundamental” (*U.S. v. Panter*), firearms are seldom if ever portrayed as useful to citizens in lawful self-defense. Firearms are not shown as useful in recreational or competitive events, hunting or collecting. This steady diet of stereotypes coupled with gratuitous criminal violence provokes a widespread bigotry against law-abiding gun owners and fuels the drive for restrictions that impact the law-abiding.

The hypocrisy of the communications industry is all too apparent to law-abiding gun owners. For instance, Time Warner recently defended its marketing of the song “Cop Killer” by saying that “freedom of thought and expression [should be given] the widest possible latitude, however controversial or exasperating.” Ironically, *Time* magazine routinely denies advertising space to NRA because our advertisements are deemed to deal with inappropriate themes.

In suggesting a solution to this problem, we believe that first and foremost it is important to focus on the very real notion that crime victimization is not a single episode, or scene, as television violence too often suggests. Rather, it is suffering that is at once sustained, intense and widespread. Producers and directors should have the intellectual honesty to tell the whole truth.

By airing antisocial programming, local affiliates contribute to the continued suffering of crime victims and, as Professor Centerwall has concluded, the victimization of others.

Second, to avoid conflict with the U.S. Constitution, the lion's share of the burden of resolving this issue has to be in the form of voluntary restraints and self-censorship by media executives and responsible parents alike. This is not to minimize the pivotal role that media executives and programmers can have in regard to limiting unintentional exposure to inappropriate, or clearly gratuitous and excessively violent or prurient themes. Simply put, the media is everywhere, parents are not. Limiting audience exposure to inappropriate themes by voluntary restraints on programming in regard to content, broadcast time, and air date could have a tremendous impact. While, it is a violation of free speech to prohibit the showing of "Basic Instinct" or "Terminator II" in any forum, it is a violation of common sense not to realize that Saturday morning at 10:00 or Friday evening at 8:00 very likely reaches a potentially inappropriate audience.

A recent survey by Lawrence Research of Santa Ana California found that more than 70 percent of all Americans favored a rating system established for television entertainment programs similar to the one used for movies. In fact, respondents favored repeating the rating category after each commercial break to inform audiences how much violence the program contains. Other guidelines could be developed to enforce constraints on the broadcast of materials clearly unsuitable for young minds.

Again we welcome the opportunity to participate in this hearing and remain ready to help resolve the difficult issues which this committee has chosen to address.

In closing, I believe it would be instructive to look to a quotation from "Art and Sense of Life" by Ayn Rand which applies directly to the subject matter at hand. "Art is man's metaphysical mirror; what a rational man seeks to see in that mirror is a salute; what an irrational man seeks to see is a justification—if only a justification of his depravity, as a last convulsion of his betrayed self-esteem."

ADDITIONAL QUESTIONS AND ANSWERS—JUNE 8, 1993, HEARING

MOTION PICTURE ASSOCIATION OF AMERICA, INC.,
Washington, DC, July 14, 1993.

TO: Senator Paul Simon

FROM: Jack Valenti

Here are questions to which I am responding.

Attachment.

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF JACK VALENTI

Question. During the June 8th hearing, your panel noted that some of the most popular programs are sitcoms and other non-violent shows. If this is true, why do we see so much violence in the movies and other TV shows? Is violence cheaper to make?

Answer. Quick answer: Violence is not cheaper to make. Action is always more expensive than non-action. It's important to understand that on prime time TV there is precious little violence. Confirmably, there is less violence now than there was a decade ago. Indeed, when advisories are inserted this fall, only a handful will carry those advisories in network prime time. Movies on networks in prime time are sternly edited for language, sensuality and violence.

But if there is violence on TV, where is it? In addition to the evening and local newscasts, viewers may see violent stories on 'Made-for-TV' movies, those films

which are made for TV as opposed to the theatre. Many of these stories are taken from real-life events, events first introduced to the public as news stories, and contain some recreations of what people may regard as 'violent.' Many of these programs would carry an Advisory. But the top 25 most popular network series program contain no violence.

But it is indispensable to try to define what we're talking about—what is 'too much violence?' I keep asking that question else we speak ambiguously. How do producers, the Congress, special interest groups, networks, cable, etc. understand the 'rules of the game?' Also, it is of more than casual concern to make the specific connection that violence on TV actually causes violence in the street. The key question to be asked of researchers is: Is it confirmed by scientific assay that little tots of four, five or six who watch what are called 'violent programs' and then display aggressive behavior, still retain these aggressive images ten, fifteen years later to such an extent that they become criminals, killers, rapists or perpetrators of other anti-social behavior?

Question. The industry rightfully acknowledges its success in reducing the popularity of smoking and drugs in their productions. How, in your view, did you do it?

Answer. We organized meetings with the creative community. We talked about what we ought to try to do to reduce use of drugs, alcohol and smoking. No coercion. No threats. *No legislation or intervention by the government.* Simple conversation about some societal problems, and social responsibility.

Question. Many of the networks and cable executives say Hollywood sets the tone—when movies are violent, TV follows. What are your thoughts on this?

Answer. We need to get the numbers straight. A little over 400,000 people go to movies in theaters each day. Some 100 million people watch TV each day, or about 250 times more than go to movies. The average American goes to the movies a little over four times/year, or about eight hours annually. The average American will watch TV almost 1,500 hours each year.

So, if Hollywood sets the tone why would TV have to follow given the massive mountain of viewers TV has contrasted with an unimpressive number who go to theaters?

The fact is that we make all kinds of movies, movies with violent themes, and movies with non-violent themes—and neither guarantees box office success. A recently completed study found that 41 percent of PG-rated films grossed \$20 million or more, but only 27 percent of R-rated films reached \$20 million. And the gulf between these two ratings gets wider as we look at films that were more successful. A movie rated PG is almost 3 times more likely to reach \$100 million than a film rated R. These figures will not be lost on the entrepreneurs who make motion pictures.

Question. Do you have a studio equivalent to the network's standards and practices division?

Answer. Networks have 'standards and practices' divisions because TV comes into the home uninvited. To go to a theater requires a deliberate decision on the part of the customer. There is no surprise. Moreover, movies are rated to give advance cautionary warnings to parents so they can make their own judgments about films they want their children to see or not see. Going to the movies levies on movie-goers an individual choice. Not so on TV.

Of course, many TV shows are made by studios. Studio executives and production executives review scripts as parents and members of the community. And while we do not have standards and practices departments, each episode of every show is made in consultation with the standards and practices experts from the network that will air the show.

Question. Do you have a written policy to guide your writers and producers?

Answer. There are, to my knowledge, no written guidelines, that is, no fixed, unrevivable instructions.

But because the TV shows that we make are going to air on one of the networks, producers are aware of and consult the written guidelines used by the networks.

Feature films are often made with a target rating in mind. It is not unusual for contracts to require a director to deliver a film that will earn a PG-13. Those practical concerns weigh heavily on a filmmaker during production.

Question. Do you screen promos that air on TV for violence?

Answer. Yes. Under the movie rating system, not only the firms individually rated, but all advertising material (TV trailers, theater trailers, print and promotional material) must pass inspection by the Advertising Administration of the rating system.

In order to certify the movie rating, the producer must comply with the Advertising Administration's decision. Promos for TV shows and Movies of the Week are made by the network that is going to air the show.

Question. What happens when you sell things directly to the independents, cable, or the affiliates?

Answer. Movies that go to HBO, SHOWTIME, the pay-cable networks, exhibit the movies uncut. Pay-cable is brought into the home by invitation, that is, the family must specifically order these pay-cable networks, which are priced above and beyond cable subscription. Note that many cable networks have their own standards and practices departments.

Independents and affiliates usually request adjustments to movies as they find suitable to their audiences in their local area. And when they buy TV shows "off the rack," they have a good sense of the theme of a series and can exercise complete control by refusing to buy certain programs.

WARNER BROS.,
Burbank, CA, July 29, 1993.

Senator PAUL SIMON,
Washington, DC.

Via fax: 202-224-0868.

DEAR SENATOR SIMON: I hope this will help you.
I'm looking forward to seeing you on Sunday.

Warmest regards,

(Initialed) Leslie Moonves
(Typed) LESLIE MOONVES.

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF LESLIE MOONVES

Question. During the June 8th hearing, your panel noted that some of the most popular programs are sitcoms and nonviolent shows. If this is true, why do we see so much violence in the movies and other t.v. shows?

Answer. First, many movies of the week (MOW's) deal with violent themes as contrasted with weekly episodic series television, so we should distinguish at all times between these two different forms of entertainment. In addition, the movies, i.e., feature films, are an entirely different subject on which I would defer to my colleague, Jack Valenti.

Having said that, however, let me respond more directly. There is no denying that violence does have some audience appeal. Historically, the MOW telling the story of a real life crime, for example, has drawn audiences extremely well. However, the trend of audience tastes is slowly changing toward less and nonviolent programming. Along with this shift, our own attitudes and programming choices are changing—not only to keep up with our audiences, but for some other very important reasons. After all, we live in—and love—our society; we're parents too. But, like changing the course of an aircraft carrier, sensitizing and changing the attitudes of everyone in this large and diverse industry that we are in takes time. If anything, though, that commitment to change will be cemented by the success of nonviolent programming. The recent success of the movie "Fried Green Tomatoes," for example, taught us all about shifting audience preferences.

Question. Is violence cheaper to make?

Answer. Not necessarily. Obviously, when you look at some of the major motion pictures, e.g., "Terminator 2," the use of special effects to depict violence will cost a great deal more. However, there have also been extremely low budget movies where violence has been the major selling point, such as the "Friday the 13th" series of movies. So, as with any other type of film cost, violence costs can run the gamut. The same can be said of television programming.

Question. The industry rightfully acknowledges its success in reducing the popularity of smoking and drugs in their productions. How, in your view, did you do it?

Answer. The industry, as a whole, does have a social conscience without a great deal of prodding from the government or any other activists group. Through simple networking and discussion, we were able to make the people in this community aware that this message should be told and it was.

Question. Many of the network and cable executives say Hollywood sets the tone—when movies are violent, TV follows. What are your thoughts on this?

Answer. There is no question that in many instances television series grasp on to the success of recent feature films. However, that is far from always the case. A wide variety of situation comedies and dramas, not to mention game shows, "magazine" shows and talk shows are spawned and developed from TV's own creativity. In fact, many shows—especially MOW's—come from real life stories—the public is first introduced to the event during the local news, often times in great detail.

Question. Could you please explain the exact process your studio follows when considering program development?

Answer. Our studio tries to give the networks programming that will fill their various needs depending on night of the week, time of the evening, and the demographic groups both sought and available at that time. There is nothing like a rigid, formal process. Rather, we have an ongoing relationship with each network and continuous discussion with their executives and standards and practices experts about tailoring our efforts to their requirements. In many ways, it's like any other industry trying to please its customers.

Question. Do you have a studio equivalent to the network's standards and practices division?

Answer. We do not have a formalized standards and practices division. However, we do have extremely active studio development executives who are monitoring these issues and who work very closely with our network clients. An important part of their jobs is to alert senior executives about programming that may be heading into problem areas. A much lower threshold of violence is now being added to their "tripwire" responsibilities.

Question. Do you have a written policy to guide your writers and producers?

Answer. We do not have a written policy for writers and producers.

Question. Do you screen promos that air on TV for violence?

Answer. All promos for our television shows originate with the networks. We do get to see them, and of course try to lobby for the ones we feel would best promote our shows. We clearly can—and have—given them our opinion on violent content and the placement of particular promos. Ultimately, however, the networks determine the content and placement of promos.

Question. While I know that the networks, through their standards and practices divisions, edit your products when they are to be shown, what happens when you sell things directly to the independents, cable, or the affiliates?

Answer. Obviously, since they often do not have the equivalent of a network standards and practices division, we take additional pains to police ourselves. However, having said that, I must say that they, like the networks, have ultimate control of what they purchase, what is shown and how it is edited to be shown on their outlets.

PARAMOUNT PICTURES,
TELEVISION GROUP,
Hollywood, CA, June 30, 1993.

The Honorable PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMON: Thank you for your letter of June 16th and for the series of follow-up questions you raised on the subject of violence on television. As I wrote to you earlier, I appreciated the opportunity of coming to Washington and testifying before your subcommittee. The hearings provided both a useful forum for an exchange of ideas and a vivid reminder that you expect the industry to meet its responsibilities by addressing the issue in a meaningful way.

We are proceeding, I believe, on the right track. On behalf of Paramount, let me respond to your questions by first describing the path we are taking to address this important issue. Then I will attempt to directly answer the follow-up questions you posed.

Paramount is no late comer when it comes to critical self-examination and the search for solutions, not only to the portrayal of violence, but also to the larger issue of incorporating human values in television programming. We hold annual day-long development seminars with our creative teams (executives, writers, producers and directors) during which we both discuss the difficulties in achieving greater sensitivity.

ity to these issues and encourage their efforts to overcome them. In addition, on this Thursday through the auspices of Paulist Productions and the Humanitas Foundation, which operate under the direction of Father Bud Kieser, we are conducting a four-hour conference which will be an intensive seminar on incorporating human values in television with special attention focused on developing a humanistic and responsible approach to the portrayal of violence in dramatic programming. As I noted in my statement to your subcommittee, Father Kieser has conducted similar seminars at the broadcast networks and the discussions were lively and productive.

We do not regard these exercises as token gestures in response to Congressional concerns. They are, I can assure you, exacting and serious in their applications and in their expected results. We will continue these meetings as part of our ongoing efforts to improve the quality of television programming for our viewing audience.

Paramount's television programming consists largely of situation comedies, popular news/reality formats and talk shows. These genres are, for the most part, inherently non-violent. In fact, of the 30 & 1/2 hours of weekly television entertainment we are producing for the upcoming season, there are only five dramatic hours which include "action".

Often "action" is equated with gratuitous violence, and sometimes deservedly so, but when we address the question of violence on television, we ask our producers to critically examine the context of the violence portrayed. Is it integral to the dramatic story being told? Is the violence depicted as harmless or inconsequential? Are we portraying the de-humanizing aspect of violence on both the object and its perpetrator? These are high standards which are rigorously applied.

In addition to these "in-studio" seminars, we are looking forward to participating in the August 2nd industry-wide conference in Los Angeles and in the forthcoming guild meetings sponsored by the MPAA.

The approach which offers the greatest promise of success, I believe, lies in voluntary industry action at the script development or story-telling stage, not government intrusion into the heart of the creative and artistic process. The danger of the latter course carries with it a burden which a free society simply cannot shoulder. There is a place for parental advisories on violent programs, but we believe the most effective approach, our "first line of defense", is to address the hearts and minds of the people involved in creating television entertainment. I hope you agree.

Now, let me try to respond to the specific questions you have raised in your letter.

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF KERRY MCCLUGGAGE

Question 1. Why do we see so much violence on television shows? Is violence cheaper to make?

Answer. At the outset I would note that very few television programs contain what can fairly be described as gratuitous violence. Having said that, dramatic story-telling through the ages has continually depicted the struggle between good and evil, and often this results in violent confrontations. You have asked us to consider the allegedly negative impact of the portrayal of TV violence on our society. In fairness, let us also consider the positive influence of these morality plays. They deliver socially positive messages which can include reinforcing respect for law-and-order, building faith in our judicial system and creating heroic role models or our youth. Others address some of the pressing problems of the day which should be covered on television, such as drug abuse, discrimination and broken families. Like it or not, violence is often an integral element to the telling of these stories.

Violence, in general, is not cheaper to produce. It usually requires additional cameras and coverage (multiple takes), expensive stunt work and special effects, and significantly more shooting time. Often when a network insists on more "action" in a dramatic hour, the discussion can center more on the financial impact than on the propriety of the action in the overall context of the story being told.

Question 2. The industry rightfully acknowledges its success in reducing the popularity of smoking and drugs in their productions. How, in your view, did you do it?

Answer. Primarily, the industry successfully addressed these issues in the same manner that we are suggesting here: a critical self-examination leading to voluntary guidelines for program producers and distributors.

Question 3. Many of the network and cable executives say Hollywood sets the tone—when movies are violent, TV follows. What are your thoughts on this?

Answer. I don't necessarily agree with the premise, but if imitation is the sincerest form of flattery, this process has been a two-way street between the two mediums. For every example of a television show that attempts to emulate a suc-

cessful movie, one can find examples of movies that are imitating the success of television programs.

Question 4. Could you please explain the exact process your studio follows when considering program development? Do you have a studio equivalent to the network's standards and practices division? Do you have a written policy to guide your writers and producers? Do you screen promos that air on TV for violence?

Answer. In my general remarks, I've tried to address how our studio handles the development process. It begins with the idea, usually born in the fertile imagination of our writer-producers. This idea is refined and shaped to enhance its commercial and financial viability while striving to improve the overall quality of the entertainment. Ultimately, this idea must be sold, either to the networks—broadcast or cable—or directly to stations in the case of first-run syndication.

In regards to your question regarding standards and practices, on network productions we work with the network standards and practices divisions. On first-run programs, we conduct an internal review led by our lawyers and the creative executives that supervise production. Similarly, on promos, the network assumes responsibility for these on all network shows. On first-run programs, we conduct our own internal review of all promotional materials.

Question 5. While I know that the networks, through their standards and practices divisions, edit your products when they are to be shown, what happens when you sell things directly to the independents, cable, or the affiliates?

Answer. The networks, through their standards and practices departments, ask the studios to implement change to programs in order to make them "acceptable for broadcast". It is up to the studios and their production teams to implement those changes, although the networks can directly make any additional changes they deem necessary.

Cable networks operate in a similar manner to the broadcast networks. In regards to a first-run syndicated product, the programs are largely self-regulated, but tempered by several market forces. First, stations may reject any individual episode for content reasons. Second, all our productions are pre-screened by advertising agencies and/or "rep" firms that review programs on behalf of their commercial sponsors. Third, as previously noted, we conduct our own internal review and fourth, we aggressively solicit and monitor audience reaction to our product.

Senator, I hope you find these responses useful. Please don't hesitate to call or write if you have any questions or want to discuss these matters in greater depth. We appreciate your encouragement and support for the consciousness raising and critical self-examination activities now underway not only at Paramount but throughout the industry. We will continue to move forward in this constructive direction and I am hopeful the results of these efforts should soon be evident on America's television screens.

Warm Regards,

(Signed) Kerry McCluggage

(Typed) KERRY MCCLUGGAGE.

UNIVERSAL TELEVISION,
Universal City, CA, July 14, 1993.

The Honorable PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMON, This response is in reply to your letter of June 16th.

Before I respond to your specific questions, I would like to express my appreciation for your efforts in maintaining an amicable and constructive atmosphere in your hearings on the issue of television violence. The best opportunity to arrive at an industry-wide consensus is by this focused but even-handed approach. My associates at Universal Television and I look forward to the challenge involved and will participate actively in the discussions ahead.

We have considered and have the following responses to your specific questions:

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF NED NALLE

Question 1. During the June 8th hearing, your panel noted that some of the most popular programs are sitcoms and other nonviolent shows. If this is true, why do we see so much violence in the movies and other t.v. shows? Is violence cheaper to make?

Answer. For logistical and time reasons, there is no question that the physical production of action is more expensive than filming "talking heads." I am certain that all the others to whom you addressed your inquiry will concur.

Television networks usually present a portfolio of programming types to their viewers. Public taste is a cyclical phenomenon and recent viewer appetites have lately demanded more comedic and informational entertainment, with less call for the dramatic form.

In general, the few dramatic hours in production tend to include "action" as opposed to gratuitous violence. The word "gratuitous" is defined as an act that is unwarranted or not called for by the circumstances. For Universal Television series, we have a policy of "no gratuitous violence." If ever a character resorts to violence, then the instigator generally pays a stiff price for such an offense. As I mentioned in my testimony last month, our policy further dictates that if violence is ever deemed necessary in the telling of the story, it should be portrayed within the bounds of good taste and common sense. When we produce dramas, we make a conscious effort to resolve volatile conflicts with nonviolent acts, such as moral suasion.

Question 2. The industry rightfully acknowledges its success in reducing the popularity of smoking and drugs in their productions. How, in your view, did you do it?

Answer. Our producers simply elected to reduce the occurrences of cigarettes and drugs in the scripts, partly for conscientious reasons, and partly because depictions on television tend to mirror our societal culture. For example, as Americans started to smoke less, our television characters began reflecting this trend.

Our success in reducing the popularity of smoking and drugs was achieved from a consensus within the industry to reduce demonstration of smoking and drug use. We believe a similar approach will best serve in the case of violence as well.

Question 3. Many of the network and cable executives say Hollywood sets the tone—when movies are violent, TV follows. What are your thoughts on this?

Answer. The above statement is not necessarily true. While some movies are violent, few prime time television programs contain violence. Network "standards and practices" and lower television budgets do not often allow producers to realize violence or action comparable to motion pictures. It is difficult to assess which medium, film or television, sets the tone for the other. Whereas some TV producers find inspiration for new series in motion pictures they have seen, movies sometimes copy television programs, as evidenced by the theatrical emulations of television inspirations such as *Wayne's World*, *Addams Family*, *Dragnet*, and the upcoming releases of *The Flintstones* and *The Beverly Hillbillies*.

Question 4. Could you please explain the exact process your studio follows when considering program development? Do you have a studio equivalent to the network's standards and practices division? Do you have a written policy to guide your writers and producers? Do you screen promos that air on TV for violence?

Answer. Initially, producers approach us with their creative ideas for a show. We employ writers and producers who have the same goal as this studio to create quality programs that are entertaining and within the bounds of good taste. The best ideas are presented to a network whom, if interested, will order a script and then possibly a filmed pilot or series prototype. Upon evaluation of the pilot, the network will then decide whether to place the show on its schedule, and order additional episodes.

By industry practice, Universal Television collaborates with the networks' standards divisions. With regard to first-run programs, which we distribute and in which we sell advertising time, our creative executives guide our writers and producers following policies similar to the networks'.

The networks prepare on-air promos for our productions which are generally not reviewed by our executives. We generally review only the on-air promos for our first-run syndication product that we prepare.

Question 5. While I know that the networks, through their standards and practices divisions, edit your products when they are to be shown, what happens when you sell things directly to the independents, cable or the affiliates?

Answer. In addition to our internal policing of program standards, independent and affiliate stations have their own review process and could conceivably reject a program for content problems. Other marketplace forces influence program content as well. For example, some advertisers are reluctant to associate themselves with programs perceived as "violent."

In closing, we at Universal believe we do have a responsibility to the American people to tell stories within the boundaries of good taste. We are ready and eager

to voluntarily participate next month in the industry sessions regarding television violence.

Sincerely,

(Signed) Ned Nalle

(Typed) NED NALLE.

WKYT-TV,
A CBS AFFILIATE,
Lexington, KY, August 10, 1993.

The Honorable PAUL SIMON,
U.S. Senate, Committee on the Judiciary,
Washington, DC.

DEAR SENATOR SIMON: Thank you for your letter and for inviting me to testify at the Constitution Subcommittee's oversight hearing on television violence on June 8. I would like to commend you, Senator Kohl, and your colleagues for the leadership you have shown in raising awareness throughout the television and program production industries on this important issue. I believe local broadcasters are concerned about and are committed to playing a role in avoiding gratuitous depictions of violence on television.

As I emphasized in my testimony, however, local broadcast stations are but one part of a complicated mosaic, and success cannot be achieved without the involvement and commitment of all segments of the television industry, particularly those program suppliers upon whom stations are dependent and those with whom they vigorously compete for viewers. For this reason we welcomed, and participated in, the August 2 meeting in Los Angeles.

Subsequent to the June 8 hearing, you asked me to respond to a series of questions concerning the views of stations affiliated with the major networks on the issue of television violence. I should preface my response by noting that it is difficult to make generalizations of any kind concerning the more than 609 stations affiliated with the three major networks, ranging from the largest markets in the country to the smallest. Moreover, programming standards have not been issues upon which the affiliates of the three networks historically have coordinated their views or practices. Nevertheless, I have endeavored, to the extent possible, to respond to your inquiries.

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF RALPH W. GABBARD

Question 1. Do affiliates have their own standards and practices departments? If not, how are decisions about program content made?

Answer. As you know, each of the networks, which have considerably more resources than their affiliated stations and provide the great majority of their prime time programming, has a standards and practices department. We are not aware of any affiliated stations that have separate standards and practices departments as such. Rather, a senior station official, the programming director in larger stations, the general manager and/or station manager in smaller stations, will perform this function. The general manager of each station is, of course, ultimately responsible for these decisions.

Question 2. Are the affiliates under any contractual agreement to accept the promotions for the network's programming? Do you screen your promotions for violent material?

Answer. Affiliation agreements between local broadcast stations and the three major networks generally require a station to broadcast promotional announcements for network programming that is to be aired on the station subject to the station's general right, as provided for under the FCC's Rules and in standard contract clauses in affiliation agreements, to delete material which the station reasonably believes is unsuitable or contrary to the public interest. While stations endeavor to prescreen individual promotions, they typically are not given the opportunity to do so by the networks due to time constraints prior to their broadcast. Local broadcasters, however, have worked with the networks to ensure that in general network programming, including promotions, does not contain gratuitous violence. They will continue to convey this desire to the networks and will encourage the networks to afford their affiliated stations a greater opportunity to screen promotional material prior to broadcast.

Question 3. Some affiliates air reality-based programs during the early evening hours. Why are they run during this time period?

Answer. Reality-based programming is both economical to produce and, apparently, quite popular with viewers. A recent article in *Broadcasting & Cable* magazine, at 26-27 (April 12, 1993), stated that "the public's appetite for reality and its hybrids seems only to be growing." Reality-based programming has also become a staple of the networks in prime time, e.g., CBS's "Rescue 911", Fox's "Cops".

The programming is run in the early evening hours by some affiliates in part because of certain requirements of the FCC's prime time access rule. This rule applies to affiliated stations in the top 50 markets and dictates that these stations not air either network programming or "off-network" programming (syndicated programming which aired initially on one of the major networks) for at least one hour of prime time each week night. Because the networks have chosen to program between 8 p.m. to 11 p.m., in most markets, the local affiliate "access hour" is 7 p.m. to 8 p.m. for the eastern and pacific time zones (and 6 p.m. to 7 p.m. for the central and mountain time zones).

While some affiliates have the resources and ability to produce local programming for airing during the access hour, the vast majority of even top 50 stations must rely on whatever first-run syndicated programs are available for airing during the access hour. Many stations, including my own station, WKYT-TV in Lexington, broadcast access syndicated programming, such as Jeopardy and Wheel of Fortune, which is not reality-based. There are only a limited number of such programs available, however, and a substantial portion of the remaining product is reality-based programming.

Question 4. What do you think of rating television programming?

Answer. Like other broadcasters, including all the major networks, affiliates have serious reservations concerning proposals to rate television programming. The practical problems imposed by such a system would be enormously burdensome. Compared to the Motion Picture Association of America's task of rating approximately 450 movies a year, the television industry would face the daunting if not insurmountable task of assigning ratings to hundreds of thousands of hours of programming that is broadcast every year over television and cable channels. In addition to the sheer volume of programs, the task of rating programs would be exacerbated by the time constraints and last-minute changes to programs and scheduling that characterizes the television industry.

Yet another problem is selecting who is to undertake this task. Certainly it is inadvisable for the government to get into the business of making the content-based, subjective judgments involved in rating television programming. There is no apparent non-governmental organization or group that could take on this monumental job on behalf of an industry that is so much more diverse and decentralized compared to the movie industry. Assigning the task to each member of the industry would raise its own set of problems: How would ratings be applied in any sort of consistent fashion, especially given the competitive environment in which members of the industry operate? Who would have responsibility for rating a program produced by one company, aired by another, and then aired at a later date by yet another company perhaps in edited form?

On a more fundamental level is the thicket of definitional problems involved in rating television programs for their violent content. The depiction of violence can play an integral part of a dramatic story and serve to educate viewers, including children, concerning our culture. The movies "Lonesome Dove" and "Roots" contained scenes of violence, but surely no reasonable person would stamp these wonderful movies with a violent rating. While admittedly not high art, I also don't think a slapstick comedy such as Rowan and Martin's 25th Anniversary "Laugh-In" special warrants such a rating either. A rating system has the potential for painting with too broad a brush and chilling the creation of worthwhile programming. Branded with the Scarlet letter of a violent rating, such programming could very well lose the support of advertisers leery of being marked with the same overbroad label.

There is a wide variety of contexts in which violent acts may at times be depicted on television. Some of these depictions are gratuitous and should be avoided, but there are a wide variety of other situations where it is entirely appropriate and, frankly, harmless. The use of a ratings system strikes us as an inflexible, indiscriminate approach to a problem that requires sensitive, individualized judgments by members of the television industry and, ultimately, parents.

Question 5. How do you feel about parental advisories before violent programming?

Answer. Local broadcasters support providing parents the information necessary to allow them to determine whether their children should watch a particular television program. To a large extent, this information is already available. We believe most parents are generally familiar with the nature of television series that appear on a regular basis. Television listings that appear in *TV Guide* and the local newspaper also provide information concerning program content. In addition to these sources, parental advisories can also play an appropriate role. Local broadcasters support the four-network proposal for a two-year test of an Advance Parental Advisory Plan. We believe this plan strikes a proper balance between the creative values that are so important to broadcasters, and the need to help inform viewers of the nature of particular programs. Local broadcasters will be working with the networks in implementing and fine-tuning this parental advisory plan.

Thank you again for the opportunity to appear before the Constitution Subcommittee on the issue of television violence. If you have any further questions, please do not hesitate to contact me.

Sincerely,

(Signed) Ralph W. Gabbard

(Typed) RALPH W. GABBARD.
President/General Manager.

KING WORLD PRODUCTIONS, INC.,
New York, NY, August 16, 1993.

The Honorable PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMON: I am enclosing the responses to the follow-up questions you submitted to us resulting from our testimony, on behalf of King World Productions, Inc., before your Subcommittee on June 8. We have formatted the questions and answers so that they may be made a part of the hearing record if that is your preference.

Very truly yours,

(Signed) Stephen W. Palley

(Typed) STEPHEN W. PALLEY.

QUESTIONS ASKED BY SENATOR PAUL SIMON AND THE RESPONSES OF STEPHEN W. PALLEY

Question 1. Have you or your representatives participated in the industry meetings on television violence held thus far? Will you be going to the August conference?

Answer. King World has not been invited to participate in the industry meetings on television violence held thus far, and was not invited to attend the August conference. We believe that, in light of the non-violent nature of our programming, the organizers of these meetings have concluded that our participation is inappropriate. However, we will continue to stay abreast of the proposals that emerge from those discussions and will, as appropriate, make our views known to our colleagues in the television industry.

Question 2. In your testimony you note that "the American Public has, through its viewing preferences and habits, made clear that gratuitous or excessive violence on television programs is unacceptable." How did you reach this conclusion?

Answer. We base this conclusion in part on the success of programs such as "Wheel of Fortune", "Jeopardy!", "The Oprah Winfrey Show" and "Inside Edition." As noted in our testimony before the Committee, these programs are among the most successful first-run syndicated programs on television, and none of them involves gratuitous or excessive violence. Television broadcasters have an economic imperative to provide programming that is responsive to the needs and interests of the American public; and we—and the television stations that air our shows—are mindful of the general sentiment of the American public that unnecessary and gratuitous violence in programming, and particularly entertainment programming, is not acceptable.

Question 3. How does King World handle violent content? Has King World adopted the network guidelines on violence? If not, why?

Answer. King World has not formally adopted the networks guidelines on violence, for several reasons. First, we believe that the real issue is not whether a pro-

gram distributor has guidelines, but rather how it exercises its editorial discretion in the evaluation of program content that may be considered violent. Second, the adoption of "violence standards" for programs like "Wheel of Fortune", "Jeopardy!" or "The Oprah Winfrey Show" would be meaningless. In the case of "Inside Edition", we have adopted the basic principle that we will not cover violent crime for its own sake or for the sake of sensationalism, nor will we recreate or simulate violent crime. When we do report on violence—as was the case in the Los Angeles riots—we focus on the consequences. We apply this policy by a careful and thorough review and prescreening of each segment of each story aired on "Inside Edition." We note that the networks have recently announced a new policy of "parental advisories." As we stated in our testimony before the Committee, in the rare case in which graphic or upsetting footage must, as a matter of editorial responsibility, be shown on "Inside Edition", we typically insert a caution into the program that the upcoming story might be inappropriate for children.

Question 4. Given the success of "Wheel of Fortune" and "Jeopardy!", why do you think violence sells so well? Is violence cheaper to make?

Answer. It is not at all clear to King World that violence sells. Nor is the case that violent programs are cheaper to produce than non-violent ones. It is, however, clear to us the diversity of programming choice is an important value and that editorial responsibility is central to the production of all types of programming.

ASSOCIATION OF INDEPENDENT TELEVISION STATIONS, INC.,
Washington, DC, September 23, 1993.

The Honorable PAUL SIMON,
U.S. Senate, Washington, DC.

DEAR SENATOR SIMON: Once again thank you for affording me the opportunity to testify before the Constitution Subcommittee on the issue of television violence. On behalf of the Association of Independent Television Stations, the following responds to your follow-up questions.

I regret the delay in getting this information to you. However, the nature of Independent television requires us to contact every station individually. Since June, the INTV staff has contacted every Independent station in the country, including those that do not belong to INTV. We have had hundreds of telephone calls and meetings discussing the importance of this issue. While we have been successful in getting the message out, it has taken some time.

Question 1. Compliance with your guidelines on violent programming is voluntary. How many Independent stations have adopted the program. What can be done to encourage those who haven't adopted guidelines to do so?

Answer. I am happy to report that all of INTV member stations have adopted INTV's guidelines or have specific station guidelines consistent with INTV's standards. This represents the largest segment of the commercial Independent television industry.

As for non-members, 53 stations have adapted INTV's guidelines or have station standards that are consistent with INTV's guidelines. There are, of course, numerous stations that are not members of INTV that may be categorized as "Independent." However, the vast majority of these stations broadcast either a foreign language, religious or shopping format. Accordingly, many non-member stations indicated that INTV's guidelines are not relevant to their program format.

We will continue to educate our member and non-member stations on this issue. INTV views its program as a continuing process. Obviously we cannot force or require any station, member or non-member, to adopt guidelines or to apply them in any particular way. We are, of course, delighted that so many Independent station have adopted guidelines, and we are confident they will apply them in a responsible manner.

Question 2. How many Independent stations are now using parental advisories? Do you think the advisories have been (or will be) helpful?

Answer. Virtually all of INTV's members are providing or intend to provide parental advisories. Only two stations indicated that they don't use parental advisories because they don't air violent programs. The 53 non-member stations adopting INTV's guidelines indicated that they are providing or intend to employ parental advisories.

As I noted in my testimony before the subcommittee, INTV's board of directors spent a significant amount of time debating the efficacy of advisories as opposed to a ratings system for television shows. We concluded that a ratings system was not

feasible for a variety of reasons. The very nature of Independent television is that programming decisions are made by local stations, not a national network entity. As a result, there would be no guarantee of a uniform national rating. Also, no one has adequately defined the term "violent programming." This makes it impossible to develop a ratings system which attempts to measure "degrees" of violence. Finally, the sheer quantity of television program product makes a rating system for television a much larger and more difficult undertaking than the current rating system for movies. This is especially true given the tighter time frame for scheduling television productions. If the goal of a rating system is to advise parents, then the most efficient mechanism to accomplish this task is to provide advisories directly to parents.

INTV believes that advisories are helpful. Parents will know whether a particular program contains scenes that they believe their children should not watch. I would like to address two concerns that have been raised since the hearing.

Some have argued that an advisory system will provide an incentive for stations to air more violent programming. The argument is that stations will feel that the advisories will absolve them of any responsibility to reduce violence in programming. Nothing could be further from the truth. Independent stations are well aware that they must take steps to reduce the levels of violence that may appear in some programming. There is no intent to simply hide behind the advisories.

Second, the trade press has reported that certain groups intend to organize advertiser boycotts for any program that contains an advisory. This approach is counter-productive. If an advisory becomes an automatic trigger for consumer boycotts, then there will be a tremendous incentive for stations to stop using the advisories. In the end, parents will be denied important information. INTV hopes that such a policy will not receive congressional support.

Question 3. I am pleased to see that you have addressed the problem of violent promotions in your guidelines. It is encouraging to see that your stations are encouraged not to air promotions for violent programs or "R" rated movies during morning or afternoon children's programming.

Nonetheless, could such violent promotions be aired during early evening programming? Who is responsible for screening the promotions? Could such promotions be aired during your "off-network" programs or "first run" syndication programs shown during children's hours?

Answer. At the outset, either the station manager or program director of each station is responsible for screening promotions and all such decisions must be made by the management of each local station. INTV's guidelines apply to promotional material and elicit special care for children in scheduling promotional material for programming with violent content. This special concern for children is not limited to programming intended primarily for children, but also would include any "off network" programs or "first run" programs broadcast during this time period. This would apply to promotions involving programs that will appear on the station itself as well as advertising for movies. While the hours may vary on some stations, "children's hours" are usually defined as 7:00-9:00 AM and 2:30-5:00 PM weekdays and 7:00-9:00 AM on weekends. As a general rule, most Independent stations do not air violent promotions during these children's time periods.

As for early evening programming, 6:00-8:00 PM time slot, most of the programs aired during this time period are "off-network" situation comedies, containing little or no violence. Many of these programs are "bartered" programs. In other words, the program syndicator has pre-sold advertising. Some of these advertisements may involve promotions for movies appearing in theaters which could be considered violent or may be rated "R." (Of course, the advertisements themselves are not rated "R" and have been approved for general audiences by the movie industry.) Also, it is possible that there may be promotions for programs that will appear on the station later in the evening.

At this point we are not sure of the extent of the problem, if any, during this time period. INTV will be happy to provide you with additional information on this specific issue when it becomes available. Nonetheless, stations know that no time of day when children are watching is excepted from the need to exercise special care in scheduling any program or promotional material.

Again, thank you for giving me the opportunity to appear before your Subcommittee on this vitally important issue. INTV is committed to working with you and other members of Congress to address the issue of violence on television.

Sincerely,

(Signed) Al DeVaney

(Typed) AL DEVANEY,
Chairman of the Board.

ADDITIONAL STATEMENTS FOR THE RECORD—JUNE 8, 1993,
HEARING

PREPARED STATEMENT OF THE AMERICAN MEDICAL ASSOCIATION

The American Medical Association (AMA) is pleased to submit this statement for the record of the Subcommittees' June 8, 1993 hearing regarding TV and motion picture violence. It is no secret that we live in a terribly violent society. Undeniably, violence in the United States has reached epidemic proportions. In addressing it, we cannot overlook that violence is a major medical and public health issue. In addition to having a severe, broad-reaching negative impact on the health of Americans, violence results in a huge number of encounters with the health care system. Care for the victims of violence strains the health care system and adds significantly to the U.S. health care bill. In this regard, it has been reported that over 500,000 emergency department visits annually are due to violent injury and that two-thirds of crime victims treated in hospitals are uninsured. It has been estimated that the direct medical costs of all violent injuries add more than \$5.3 billion to U.S. health expenditures.

Violence in general is clearly an enormous and at least partially avoidable public health problem in this country today; particularly alarming is the prevalent depiction of violent behavior on television and in motion pictures, especially in terms of its "role-modeling" capacity to potentially promote "real-world" violence. The AMA decries such depictions of violence. We have long-standing policy (adopted over a decade ago) expressing "vigorous opposition to television violence" and clearly stating our "support for efforts designed to increase the awareness of physicians and patients that television violence is a risk factor threatening the health of young people."

Clearly, the majority of the American public is concerned about and disturbed by the phenomenon of TV violence. A "Times Mirror" nationwide poll of 1,516 adult Americans conducted in February 1993 indicated that more than 72 percent of those surveyed felt that entertainment TV is too violent, and 80 percent believed it to be harmful to the nation.

There exist a number of interrelated factors which contribute to the enormity of the TV violence problem in this country today. First and foremost is the fact that so many individuals and families, of practically all ages and socioeconomic levels, own one or more TV sets. There are millions of TV sets in this nation; this is perfectly understandable, in that TV is a convenient and relatively inexpensive form of entertainment, compared to other things. Thus, there is tremendous access to TV. It has inundated our culture like nothing else, drawing viewers of all age ranges and socioeconomic levels. Since TV violence reaches so many individuals, its effect upon society is, correspondingly, greatly magnified.

Next, not only is the TV medium so prevalent, in terms of access by huge numbers of individuals, the problem of TV violence and its societal effects is further augmented by the fact that, particularly in large metropolitan areas, TV programming is broadcast at all times of the day and night (on a 24 hour basis). This further increases viewers' access to TV violence.

In addition, the TV violence problem is exacerbated by the fact that the violence cuts across so many different lines of programming. A great variety of different types of programming contain violence, ranging from the reporting on the network news to "real-life" crime action shows such as "Cops" or "Rescue 911", from sports such as boxing and wrestling to dramatized or fictionalized "made-for-TV" movies on any number of subjects involving crime, murder, rape and violence in general.

TV violence may have particularly harmful or negative effects upon certain segments of the viewing population, including children, emotionally unstable individuals with volatile personalities, and spouse or child abusers (that is, upon those too young to understand or otherwise unable or ill-equipped to comprehend that violence should not be employed as a means to solve problems and to "right" perceived wrongs).

Perhaps most troubling are the potentially deleterious effects which TV violence may have upon children. It has been estimated that the typical American child is exposed to an average of 27 hours of television each week, and that some inner city children are exposed to as much as 11 hours per day. It has further been estimated that the typical American child will watch 8,000 murders and 100,000 acts of violence on television before finishing elementary school and that, by the age of 18, that same child will have witnessed 200,000 acts of violence on TV, including 40,000 murders.

It is well-established that children learn behaviors by example. They have an instinctive desire to imitate actions which they observe, without always possessing the intellect or maturity to determine if such actions are appropriate. This principle certainly applies to TV violence. It seems obvious that we must take measures to curb TV violence if we are to have any chance of halting the violent behavior that many of our children learn through watching television. If we fail to do so, and instead continue to expose our children to ever-increasing amounts of violence on television, it is a virtual certainty that the situation will continue to get worse. (In this regard, according to the Federal Bureau of Investigation, we are already currently in the midst of an unrivaled period of juvenile violent crime among youth from all races, social classes and lifestyles.)

As Senator Kent Conrad of North Dakota has aptly expressed, with regard to violent crime: "These aren't just poor kids in inner cities. These are kids who live in the country, in the suburbs, rich kids, city kids, farm kids. The increase in violent crimes committed by children, and against children, affects families of every race and every income level. The problem is growing for all of us."

It should also be recognized that (as has been pointed out by the pediatrician community), notwithstanding TV program content and its potential to promote violent juvenile behavior, the mere expenditure of 27 hours each week watching television by the typical American child is problematic. Sitting in one spot and watching television for 27 hours a week takes that many hours away from time that the child could be outside playing, riding a bicycle, exercising. Thus, it could have negative consequences upon the child's physical development and contribute to such conditions as childhood obesity. In addition, those same 27 hours are detracting from the time that the child could be spending studying, reading books, or engaged in other constructive activities to promote his or her intellectual development.

As expressed earlier in this statement, the AMA has long-standing policy of "vigorous opposition to television violence." We also, of course, oppose motion picture violence. We realize that the average individual has greater, easier access to a television set than to a movie theater and spends more hours in front of a TV set than a movie theater screen. Nevertheless, motion picture violence is subject to much of the same criticism leveled at TV violence, in terms of its potential impact in promoting an ever-increasingly violent society.

In conclusion, as regards curbing TV and motion picture violence, there can be no doubt that something must be done, and it must be done now. Measures which might be considered include: (1) calling upon the television and motion picture industries to cooperate to establish a violence rating system for prime time television, children's programming, and movies in order to allow viewers to identify highly violent programming; (2) requiring newly manufactured television sets, to the extent technologically feasible, to be equipped with a microchip that would give parents the ability to block out violent programs; and (3) calling upon the Federal Communications Commission to initiate hearings on media violence, considering within the scope of such hearings such topics as the establishment of a violence rating system for television and cable television programming, the establishment of guidelines for broadcasters to follow in programming during prime time and children's viewing hours, the potential to tie broadcasters' compliance with violence guidelines to license renewal or revocation, and the potential levying of monetary fines against cable TV broadcasters who fail to comply with violence guidelines.

The AMA believes that dramatically reducing TV and motion picture violence will require concerted efforts on the part of parents, educators, child advocacy groups, law enforcement officials, the clergy, the medical profession, citizens groups, government, and the TV and cable TV and motion picture industries. The time for action is now; considering the damage to our society that TV and motion picture violence is capable of causing, there truly is not a moment to spare.

**PREPARED STATEMENT OF ARTHUR KANEGRIS, PRESIDENT OF FUTURE WAVE
(WORKING FOR ALTERNATIVES TO VIOLENCE IN ENTERTAINMENT)**

Senator Simon, and honorable committee members, I am Arthur Kanegris, President of Future WAVE (Working for Alternatives to Violence in Entertainment), a nonprofit 501-c-3 educational organization. I am also a producer of television documentaries, and currently of an animated feature film designed to provide children with non-violent action heroes. My company, 2020 Productions, Inc., has both feature and television properties in development.

You are performing a vital service to the public—and ultimately to the industry as well—by bringing this issue to the forefront of public debate. For as we in the entertainment industry become more attuned to the public demand for non-violent programming, our profits will increase as well.

The Senate Judiciary Committee once reported: "We are the most violent and self-destructive nation on earth." Your committee found that Americans are killing, maiming, raping, and robbing one another at a furious rate, exceeding that of every other nation that keeps records.

As public servants, it is clearly incumbent upon you to search for all ways to stem this tide, including looking at the cultural underpinnings of our violent society.

Parents and teachers have a hard time going up against the Ninja Turtles—convincing kids that punching and kicking are bad when their cultural icons glamorize it. Even Congressmen and Presidents have a hard time stemming the violent tide in our society when some of our most powerful action heroes lure us with the myth of violence as a clean, manly, and powerful quick fix to every challenge we face.

Thus, the real battle for our future originates not in the halls of Congress or in the wings of the White House, but in our living rooms and movie theaters. It is here that the entertainment industry teaches the underlying myths that are played out in our culture. For, as Joseph Campbell tells us, every society has its storytellers who weave the mythology that surfaces in societal behavior.

Many of those concerned about the impact of media violence in our society have, in the past, focused their public efforts and their Senate testimony on documenting the harmful effects. Many in the film & TV industries heard this as a veiled call for censorship and a threat to free speech. The result was a stalemate where both sides scrutinized each other for any holes in their arguments, and rarely attempted to better understand the other's perspectives and concerns.

Your committee has helped us move beyond this, to a common search for effective alternatives. We can side-step this polarized argument by working together to empower producers with the information and ideas they need to develop more creative alternatives than the old violent clichés.

When Motion Picture Association Chairman Jack Valenti addressed you earlier, he asked the question: "How can we in the film/TV industry * * * be so creatively resourceful that we are able to attract and excite audiences and at the same time try to pacify those scenes which lay claim to gratuitous violence?"

Future WAVE is a new organization founded to work within the entertainment industry to help Hollywood's creative teams find answers to that very question. We provide resources and a network of experts to help writers, producers and directors find dramatic and effective non-violent resolutions to the conflicts in their story lines.

Thus, I am offering this testimony in support of Jack Valenti's plan to go to the root, the source, and hold meetings with Hollywood's creative teams to study how to sustain dramatic narrative without glamorizing violence. We would like to join with Mr. Valenti, offering our services to bring experts in non-violent conflict resolution directly into such meetings. Our panels of experts can join in brainstorming alternatives which not only avoid glamorizing violence, but in fact empower children with more effective tools for handling conflict.

In addition to experts, we would also like to bring in ordinary citizens to tell stories to the storytellers—stories of their own personal experiences in dramatic, non-violent responses to encounters with violence. One of our staff members, Liberty Goodwin, has published two books of collections of just such stories on non-violent heroism: *Victories Without Violence* and *Safe Passage on City Streets*.

Future WAVE's approach is three pronged: To educate, reward, and demonstrate.

1.—EDUCATE

Our experience has been that many people who make violent movies do *not* do so because they *like* violence. But they ask: "How can we create dramatic tension, keep the adrenaline running, and compel viewer interest without violence? How can non-violent solutions be made believable to the audience? How can the audience be emotionally satisfied if the bad guy doesn't get his comeuppance?" These are very legitimate questions.

To help answer these questions, Future WAVE proposes to set up a resource center, a place where entertainment professionals can turn for assistance with their projects. The Center will be dedicated to helping writers, directors, producers, film students and other creative talent learn about creative conflict resolution and how to employ it in their productions. The Center will also facilitate networking among industry people and with experts in nonviolence.

For over five years Future WAVE has been researching and developing ways to depict *alternatives to violence* that are just as enticing and dramatic as the old violent clichés, and more interesting. The Center will expand on and organize resources we already have. Its files will include: material by experts on nonviolence; media examples of successful use of alternatives in film and television; fiction with conflict resolution script possibilities; and true stories of people who have employed such alternatives in their lives. The Center aims to have its clients come away brimming with new ideas, character models for new kinds of heroes and heroines, and story lines which will make the old-fashioned violent ones obsolete.

A non-violent police chief, an FBI *peace* trainer, and a veteran cop who used Eastern meditative techniques instead of firing his gun—these are among the police experts who are working with Future WAVE to promote a new role model of the "cop" in police shows and movies. (See appendix) We plan to hold a one-day workshop at which these experts will swap "peace" stories of their experiences and brainstorm solutions to theoretical situations. The material thus generated will become part of our resource center and made available to industry professionals working on police-related productions. In addition, members of the Police Resource Group will offer their services as consultants on police shows—by mail, phone, in person, or as leaders of workshops for the industry.

2.—REWARD

Future WAVE plans to launch the annual "RAVE" awards—Rewarding Alternatives to Violence in Entertainment. This event will honor films, television shows and scenes from productions that demonstrate imaginative alternatives. Showing the horror of violence would not, in itself, qualify a work for a nomination. Rather, nominees would depict characters who resolve conflict, overcome "evil," or avoid violence through superior methods. The work should feature positive and exciting characters who engage in dramatic and effective resolution of conflict—scenes like Danny Glover disarming the thugs in *Grand Canyon*, or Whoopi Goldberg, in nun's habit, serenely facing her gangland killers. The two hardened thugs, guns cocked, can't kill her because of her spirit. (See Appendix for other examples of potential nominees.)

Let me note, however, that what we are proposing to reward here is not lack of violence. In fact the two movies just mentioned would not fare well in purely statistical ratings of numbers of acts of violence or threats of violence. What kids need is not sanitized denial of the existence of violence, but rather more powerful tools to handle violence creatively—role-models who demonstrate that it is more heroic and effective to face down violence with non-violent alternatives.

Future WAVE Advisory Board member Dr. Deborah Prothrow-Stith offers some critical insights into rising teen violence in her book, *Deadly Consequences: How Violence is Destroying Our Teenage Population and a Plan to Begin Solving the Problem*. The book cites a Philadelphia study of gang leaders desensitized to violence as a result of their own victimization, concluding that: "They accepted violence as the normal and appropriate way to resolve major and minor disputes. They could imagine no response to criticism or any form of rebuke except violence. *They had no strategies, no methods of dealing with conflict, except violence. They simply had not been taught any.*"

Television has a tremendous opportunity to be the medium for helping young people learn effective alternative strategies. If 90 percent of the prison inmates said that they improved their criminal activities by picking up tips from television, then just as high a percentage could pick up tips for more constructive ways of getting their needs met by watching a different kind of programming. (90 percent figure re-

ported by Nicholas Johnson, Chairman of the National Citizen's Committee for Broadcasting—and quoted by Michael Nagler.)

3.—DEMONSTRATE

We are also working to demonstrate that effective alternatives to violence can be attractive to audiences—by helping to launch several pilot projects. Future WAVE's "think tank" works to generate creative and inventive scenarios and plot lines, and then works with entertainment companies to bring these concepts into production. For example, Future WAVE's visions of a better tomorrow are currently incorporated into a new animated feature being produced by 2020 Productions, Inc. It is called *ASTROCOPS: Peacekeepers of the Future*.

Astrocos are peacekeepers of the future working on behalf of a global democracy. Instead of weapons, these new types of heroes use such tools as the WAND—the Wave Activator to Neutralize Danger—which can project holographic images, soothing music and energy wave to calm and disarm aggressors.

We've done some informal market testing of these ideas—running workshops with groups of 10–20 children. Two weeks after one of our workshops, one of the moms, Stephanie Wooten, said to me: "Arthur, I don't know what you did with Dan and Luke. Used to be, every stick became a gun. But Arthur, ever since my boys were in your workshop, every stick has become a WAND! One time it'll make the enemy come over to their side. The next time it'll transform him. You touched their imaginations."

We believe this type of project could help lead the way, showing that an animated action picture can be appealing to boys and girls while inspiring them with new kinds of non-violent heroines and heroes.

A second demonstration project we are developing is called *The Legend of the BULLYPROOF Shields*.

A "Rap'n Roll Opera", it speaks to kids in language and music they understand and enjoy. It is a cross-cultural musical stage play that presents situations inner city youth often encounter, and demonstrates non-violent techniques for dealing with them. The script combines fantasy with hard-boiled realism, to communicate with kids where they are, and to lure them to a level of imagination that can picture how things could be different.

Future WAVE has designed this work as a joint project to be completed with the help of minority youngsters in urban environments. We are sending drafts of the script to persons working with such youth in several large cities, inviting creative input and offering to help facilitate development and production of the work.

Policy Recommendations:

"It is better to light a candle than to curse the darkness"

How can Congress contribute to this positive approach?

First, continue doing exactly what you are doing. By creating the opportunity for the industry to engage in these vital discussions, you are already raising consciousness and stimulating Hollywood's storytellers to think twice about violent resolutions.

Second, I believe you can help frame new thinking in this area by defining the issue more clearly. The issue is not number of acts of violence. The movie *Gandhi* had numerous acts of violence, but the whole point of the movie was Gandhi's heroic non-violent way of dealing with violence. The issue is this: How can we avoid glamorizing violence in our action heroes, or trivializing it through cartoon violence? Moreover, how can we empower young people and other viewers to emulate effective alternative ways of handling conflict?

Third, you might discuss with Jack Valenti the idea of separating the ratings for violence and sexual content. Do parents have a right to know that films like *Home Alone II* contain lots of easily imitable violence?

Further, I think the linking of sex and violence has a destructive effect on our society. Violence is not sexy. It's not manly. It's not virile. By lumping the two together in ratings, do we tend to give authenticity to the idea that the two are linked?

Fourth, you might consider developing a program of tax breaks or subsidies to encourage independent film-makers to develop quality films that promote effective alternatives to violence. Hundreds of low-budget filmmakers will tell you that the reason their first films are violent shock is that this is the only way for an unknown to get financing. It is very common for producers in Hollywood to say "Oh, I'm not proud of that—it's just what I had to do to break in." Children easily pick up these

violent movies at their video stores and watch them on TV. Congress should consider making it easier for young film makers to break into the industry with non-violent products.

Again, thank you for allowing us this opportunity to present our views. We thank you for your valuable service to the American people.

See Appendices attached.

APPENDIX A

EXAMPLES OF POTENTIAL RAVE AWARD NOMINEES

Comedy and Humor:

- *Golden Palace*. Rose, refusing to play victim, frustrates a would-be robber by acting as if he's just a miss-dressed customer wanting to store his gun in the safe.
- *The Russians Are Coming, the Russians are Coming*. Hostility dissolves when Russian sailors and American townspeople stand on each other's shoulders to rescue a stranded child.
- *Cadillac Man*. Robin Williams plays a used-car salesman who disarms a terrorist without violence.
- *The Gods Must be Crazy*. A tiny African bushman faces down a lion, and later sedates and disarms a group of terrorists.

War Movies and Shows:

- *A Midnight Clear*. German and American soldiers in a remote outpost find a way to make peace while their nations make war.
- *MASH*. Numerous episodes that highlight positive interaction with fellow human beings labeled "the enemy."

Western:

- *Angel and the Bad Man*. A Quaker woman convinces gunslinger John Wayne to disarm. "Only a person who carries a gun needs one."

Drama:

- *Highway to Heaven*. TV angel Michael Landon says bullets are a "no-no."
- *The Taking of Flight 847*. Stewardess Uli Didrickson deters terrorists from murder.

Sports-Related:

- *Semi-Tough*. Kris Kristofferson talks a brawny, drunken, football player out of dropping a woman off a roof.

Science Fiction:

- *Star Trek: The Next Generation*. In the "Tin Man" episode, a huge alien life form is disarmed by psychically getting inside it and understanding it.

Musical:

- *Rappin' Hood*. Mario Van Peebles dissipates a barroom brawl through his alternatives-to-violence rap.

Children:

- *Puff the Magic Dragon*. Puff and Jackie show an evil pirate he is really a baker at heart—and he transforms into one.

APPENDIX B

EXAMPLES OF RESOURCE MATERIALS

Compilations

Victories Without Violence, by A. Ruth Fry

Ordinary people coming through dangerous situations without using physical force.

- A young woman turns Chinese bandits into protectors.
- A British Quaker saves his life and money from a highwayman.
- Californians turn an invasion by sea into a welcoming of neighbors.

- A German woman stands up to both the Gestapo and the Russians.

Safe Passage on City Streets, by Dorothy T. Samuel

Describes many instances of people protecting themselves from attack, non-violently.

- Elderly women fend off muggers with creativity, not mace.
- Burglars are turned away empty-handed.
- A young teller defeats a bank robber—with naivete.

Courage in Both Hands, by Allan A. Hunter

Dramatic stories of people who accomplished more than they believed possible.

- A young black girl gets schoolmates in a newly-integrated classroom to laugh with, not at, her.
- A stocky, half-blind Japanese man faces down armed, sometimes drunken attackers with only his peaceful spirit.

True Stories

- "Turning Things Around on the Subway", by Lee D. Stern—an angry, defensive smoker becomes friendly and apologetic.
- "The Feather of Peace"—an incident in Quaker history, in which Indians on the warpath came to kill, and stayed to worship with and protect.
- "Aikido in Action", by Terry Dobson—story of a drunken rowdy in a Tokyo train transformed by a gentle, little old Japanese man.

Biography

Women of Courage, by Margaret Truman

A variety of women who led brave and exciting lives, resisting pressure, injustice, conflict and danger without the use of violence. Many have the potential for excellent screen biographies. Some are famous, others less known, but equally impressive.

- Marian Anderson, denied a hall by bigotry, sang for 75,000 people at the Lincoln Memorial.
- Senator Margaret Chase Smith stood up against the witch hunt of Senator Joseph McCarthy.
- Sarah Winnemucca (Shell Flower) helped members of her tribe escape from captivity.
- Frances Kelsey singlehandedly protected American women from the horror of thalidomide-maimed infants.

Famous Young Rebels, by Jules Archer

- Includes "The Man Who Would Not Play the Game", about Robert La Follette, a 19th century Wisconsin congressman who was a model of incorruptibility and non-violent combat for good causes.

Patriots in Petticoats, by Patricia Edwards Clyne

- Hannah Hendee pursued her captive son and retrieved him from the English and their Native American allies, by sheer persistence.
- Tempe Wick saved her horse from confiscation by her quick wits, and by hiding him in her bedroom!
- Phebe Reynolds saved her father's life by putting her body between him and his attackers—and went on to warn others in her community.
- Jemima Johnson led a group of women out before heavily armed enemy soldiers to fetch water during a siege.

Lest Innocent Blood be Shed, by Philip Hallie

- The story of the village of Le Chambon, where Pastor Andre Trocmé led a cooperative effort to hide and protect Jews during World War II.

Peace Pilgrim (Her life and work in her own words)

- Includes stories of various confrontations during her thirty years and thousands of miles walking roads around the U.S.A.

Expert Resources

America Without Violence, by Michael Nagler

The Politics of Non-Violent Action (Three Volumes), by Dr. Gene Sharp

- Part II: The Methods of Non-Violent Action.

Reaching the Fighting Gang, a report of the N.Y. City Youth Board
Training Manuals: Alternatives to Violence Project (AVP); Children's Creative Response to Conflict (CCRC); Alternatives To Violence (ATV)

APPENDIX C

POLICE RESOURCE GROUP

Future WAVE has assembled a group of experienced police professionals to assist us in promoting the use of alternatives to violence in police movies and television shows. These experts will record stories of their real-life experiences using non-violence in police work. They will also generate ideas for creative responses to theoretical conflict situations. Finally, they will offer their expertise as time permits, by mail, phone, or in person, as consultants to the entertainment industry. Workshops for interested movie and television professionals may follow.

Liberty Goodwin, Future WAVE Research Director & Project Coordinator, is recording and summarizing their personal stories and background information. Plans are to then bring police resource group members together for a one-day workshop. Led by police experts themselves, the gathering will swap "Peace Stories" and brainstorm ideas for handling theoretical situations non-violently. The ideas and stories coming out of this workshop will become part of Future WAVE's resource bank, and will be made available to producers, writers and directors of police-related entertainment.

Here is one example of the kind of service Future WAVE will offer to the industry: Future WAVE Advisory Board Member Dennis Weaver, who will play a not-so-retired cop in a proposed TV series, "Greyhounds", has offered to introduce our expertise to his producer. "After all," Weaver said, "it doesn't make sense for my character, being an older gentleman, to beat up the crooks. He'd have to have used his wits to survive on the force all those years."

We are offering the producer an opportunity to have his writers meet with one or more of our experts on police alternatives to violence. For instance, Jack Slater, in 27 years on the Los Angeles police force, dissolved riots, apprehended rapists, and disarmed a murderer who had just killed 7 people—all using what he calls "psychological, mind-over-matter" techniques. Future WAVE Advisory Board member David Surrenda trained police officers in alternatives to violence at the FBI training school in Quantico. Both are superb resources for police shows.

Future WAVE's growing Police Resource Group includes a retired police chief, a security expert, police with experience on the beat in cities like L.A. and D.C. Each has valuable experience and insights to contribute to the goal of making police shows more realistic, imaginative and exciting with less use of violence.

APPENDIX D

FUTURE WAVE'S INDUSTRY CONFERENCE

EXAMPLE: PANEL ON POLICE AND DETECTIVE SHOWS

The session will open with film clips illustrating creative, non-violent handling of Police and Detective scenes. A scene in which Barney Miller used his calming skills to defuse a potentially violent situation might be one. (The show is still in reruns.) A writer, director, or producer from each of the nominated police and detective shows will then join law-enforcement experts in discussing how these scenes worked, and how other dramatic police scenes might be created.

Besides Jack Slater and David Surrenda (previously mentioned), the law-enforcement experts could include the following (all members of Future WAVE's Advisory Board):

- John Goodwin, Retired Chief of the Aspen police force, who specialized in training his forces in nonviolent police tactics.
- Ron Hampton, Community Relations officer, D.C. Metropolitan Police Department, and Director of National Affairs, National Black Police Association. Mr. Hampton, a 20-year law enforcement veteran, trains community members in crime prevention techniques.
- Mark Bradshaw, Security consultant, who trained SWAT teams in violent methods, until he learned that non-violent means were more effective. He has also done patrol, investigative and intelligence work.

These people have dozens of techniques and approaches to share and stories to tell about effective ways of creating a "disconnect"—methods which diffuse conflict and re-contextualize the situation away from violence. Moreover, the suggested police show panel is just one model of the kind of resources Future Wave can make available.

EXAMPLE TWO: WAR SHOWS

Another panel topic might be "War Shows", which could bring together non-violence trainers and experts, along with people who have employed peaceful resistance, such as that used against Red Army tanks during the Moscow "revolution". Chinese students who faced death to block tanks in Tiananmen Square, some of whom are now in the United States, might be participants.

Other war show panelists might include:

- Gene Sharp, Ph.D., Einstein Institute, author of *Civilian Based Defense*, and leading authority on a wide range of alternatives to violence.
- Dudley Weeks, American University professor with dozens of eyewitness stories of alternatives to violence by political prisoners and others.
- Rigoberta Menchu, Guatemalan Peace Prize winner.
- Richard Deats, Interfaith Director, Fellowship of Reconciliation, a veteran non-violence trainer in the Philippines and elsewhere.

OTHER PANELS

In each of several additional proposed genres, Future Wave can assemble an impressive panel of experts and citizens with dramatic stories of effective alternatives to violence, as well as leading people from the entertainment industry such as our Advisory Board members Dennis Weaver and Martin Sheen. Some other excellent panelists might be:

- Deborah Prothrow-Stith, M.D., consultant to Bill Cosby, author of *Deadly Consequences* and Assistant Dean at the Harvard School of Public Health.
- George Gerbner, Dean Emeritus of the Annenberg School of Communications, and a member of the Future Wave Advisory Board.
- Ranny Levy, founder of the Coalition for Quality Children's Video and a member of the Future Wave Advisory Board.

EXPERIENTIAL AUDIENCE PARTICIPATION

More than an educational opportunity, this conference will also be fun. The participants will have the opportunity to learn through interactive, experiential techniques, including:

- Multi-sensory games, role-playing and creativity exercises.
- Sessions in which participants "rewrite" violent film endings.
- Simulations—surprises for the audience that allow them to engage first-hand in creative alternatives to violence.
- Interactive dialogues for participants to share and *hear* each other's experiences in dealing with violence.

APPENDIX E

FUTURE WAVE, INC., ADVISORY BOARD

Doris Bato, advisor to The Center for Defense Information.

Elise Boulding, Professor Emeritus, Dartmouth.

Marc Bradshaw, security consultant, former SWAT team trainer.

Lt. Col. Jim Channon, U.S. Army (Ret.).

James Compton, President, The Fund For Peace.

David Crocker, co-founder, The Film Fund.

Garry Davis, founder, World Service Authority.

Dietrich Fisher, Center for International Studies, Princeton Univ.

George Gerbner, Dean Emeritus, Annenberg School of Communications.

John E. Goodwin, Chief of Police, Aspen, Colo. (Ret.).

Ron Hampton, Executive Director, National Black Police Association.

Diane Harbor, L.A. P.D. (Ret.), first female captain of a major city police force; had forces trained in non-violent conflict resolution.

Hazel Henderson, author, *Creating Alternative Futures*.

Willis Harmon, President, Institute of Noetic Sciences.

Barbara Marx Hubbard, author; founder, Committee for the Future.

Leslie Hudak, President, Legacy; Producer, *Alice in Blunderland*.

Ranny Levy, founder, Coalition for Quality Children's Video.

Deborah Prothrow-Stith, M.D., Asst. Dean for Govt. and Community Programs, Harvard School of Public Health; author, *Deadly Consequences*.

Carol Rosin, President, Institute for Security and Cooperation in Outer Space.

Martin Sheen, actor, activist, Committee for Creative Nonviolence.

Jack Slater, 27-year veteran on the L.A.P.D. who dissolved riots, caught rapists, and disarmed a murderer—without using his gun.

David Surrenda, trained police officers in alternatives to violence at the FBI training school in Quantico.

Dennis Weaver, actor; lecturer; founder, LIFE (Love is Feeding Everyone).

James Whitmore, actor.

David Woolecombe, producer and writer, *Peace Child*, a play performed at schools across the U.S.A. and the then U.S.S.R.

PREPARED STATEMENT OF MARILYN DROZ ON BEHALF OF THE NATIONAL COALITION ON TELEVISION VIOLENCE AND THE NATIONAL COUNCIL FOR CHILDREN'S TELEVISION AND MEDIA

Let me first thank you for allowing me the honor to address you today. I have taught children the importance of government for years, and know I get to play a role. Thank you.

You have just heard expert testimony from leaders in the field of medicine, psychiatry, and education. Rather than elaborate on what they have already stated, let me take a different approach. I wish to make their statistics and facts come alive, through the voices of children. The majority of children quoted in this testimony are from Lockman Elementary School in Royal Oak Michigan. Lockman Elementary was chosen due to the efforts of the school system to develop a violence prevention program, rather than just a disciplinary policy to deal with the aftermath of violence. Their program is worthy of your attention. Royal Oak was also chosen because it represents a good middle class suburban school system; and these children will be the strength of the nation some day. Please listen to the words of these students.

All children have fears. Even removing all violence from a child's media viewing will not eliminate all their fears. We asked two groups of kindergartners what was the scariest thing they saw in the movies or on TV. The first group of children had their media viewing controlled by their parents. Controlling media viewing for children gets harder as they get older. Here are some of the statements.

- a real fire on a show—Miranda Gelenger—Royal Oak Schools
- bats in our attic, I never saw a scary movie—Nicole Sands—Royal Oak
- A ghost on Muppet Show—Emily Scafone—Royal Oak Schools
- When the deer's mom died
- I like to play with Barney, I haven't seen any scary movies. Sara Oliver—Royal Oak

These fears, while real, can be controlled and handled by a concerned adult; and the children will learn from handling these fears. There is no way to protect children from developing fears from the media. Even children's good programming can cause fears. This is a risk parents are willing to take. The average child will learn through their fears that the world has a cause and effect, and that many scary things can be controlled. They will feel protected and secure. Its only when they see true violence on the screen do they have long term difficulty in handling it.

Now hear the statements from young kindergartners whose parents have not exercised control over their viewing. They were also asked What is the scariest thing you saw at the movies or TV. Listen to what the young five years old are watching.

- When the Queen Alien cut open a robot's body—Mark
- when Somebody does drugs and turns into a bad guy and shoot people—john
- they pecked out the people's eyes—Sue

- mean guy had a pet monster who ate the dog—Lisa
- guy that had sharpened nails and killed girls with them—Kim
- Cape Fear when they were on the boat, and the guy grabbed him by the neck—Brandon
- a girl went to the doctors and got something and she put it on her bed and the bed started shaking and she turned into a monster.
- A movie called Chuckie

These children can develop serious attitudes, and behavior based on their fears. The world is not safe to them. We have failed them.

Children of all ages have had boogie men and bad guys to scare them. Today it is different. These boogie men can't always be stopped by parents, police, or the government. They are very violent, and can't be destroyed easily. When the bad guys are stopped it is only through the use of excessive force, rarely by intelligent actions. Listen to the children.

- They tried to kill him, but he kept coming back
- They cut him in millions of pieces but he got glued together
- They cut him in two, and then there was two of them
- I though he was dead but he wasn't and he killed her

Many parents try hard to control their children's viewing. Our offices receive many complaints regarding R-rated commercials during family hour. Parents have no control over commercials, and they are angry. One mother stated, "I try so hard to be a good Mom and protect my child, and I got so angry when I was awakened by her in the middle of the night because she was scared over some stupid doll with teeth, she saw on a TV commercial. I can't be with my children every moment when they watch TV." The children feel the same, even the ones who enjoy watching violence. Listen to the children.

- My little sister was seared when she saw the ad, they shouldn't show those ads
- I can handle it, by little kids can't
- It was so scary, it really was, the movie must be worse

For the first time children are identifying with violent scary media characters. The good guys are losing their appeal. The children identify with the strongest characters. These seem to be the most violent characters. The problem has gotten so severe that many schools across our great nation have banned certain Halloween costumes based on R-rated movies. Listen to what they say when they were told they could not dress as any R-rated character. Listen to the children.

- I can't see why I can't be what I want to be
- Freddie is so cool
- If kids weren't exposed to dress like them they won't make the costumes in my size

Children can learn coping skills from dealing with scary things, but there is a difference from the scary things of today and of the past. In the past you were never sure what the scary things would do; now the children see what they do in living color. Today's scary things, can't be explained away.

Watching horror movies has been an American tradition. Some children learn to develop self esteem through watching them. In the past we knew how to control the evil, it had limitations, and when violence occurred it was far less graphic, and had less of an impact on the viewer. You could learn coping skills and techniques, and fear could be conquered. Daylight, water, cross, silver bullets, even wood stakes could protect you. In the end we knew everything would be all right in the world. While you might never run into one of the monsters, you did learn there were ways to control the forces in order to get the good guys. This was a security. Today there are no protections against the evil violence in the movies, some evil violence can even enter your dreams, and destroy you. There are no defenses against these forces, and thus children feel more vulnerable, and see the world more fearful. Children can learn positive defenses techniques from TV, and they can also learn to feel helpless. These children start to view life as hostile. Listen to the children.

- I learned how to call 911 from TV

- I know what to do if someone has a heart attack I saw it on TV
- All you can do if he's after you is say your prayers
- He can get you no matter
- You can't go to the city, they will kill you and rob you

This past Memorial day a veteran at a school ceremony stated "These children are lucky, their Dad's never fought in wars, and they never knew one. My daughter had me in WW II, her Uncle in Korea, her brother in Viet Nam and she lived through a cold war." Yes my generation lived under the shadow of past wars, the memories of the holocaust, and the frightening stories of the War. We even debated which was better dead than red, or red than dead. Yes we heard the stories of war, and most Dad's eyes would cloud with compassion and tears when they spoke of the death of their mates, and even their enemies. Yes my generation suffered with the after effects of the war, but that doesn't mean this new generation is lucky. They have seen more deaths on the screen than many vets saw in the war. They see death and dying as entertainment. Listen to the children.

- It was real cool, his guts were everywhere
- He killed everyone, and walked away
- Blew them away it was great
- Man it was rad—red blood spurting out, guts hanging
- It didn't bother me, I thought it funny when the body flew up
- Its not real anyway
- so what he was the enemy
- he deserved to die

When you, and I were children, we had super heroes. They wore costumes, and had super power. They could do things no one else could do. Yesterday super heroes had a code of ethics, and values. They didn't look like us; so when we saw these things happen to them, and they survived we knew they did because they were super heroes. Real people never could. Today's super hero live through beatings, shootings, and other acts of violence that even a Deere Tractor couldn't handle. Today children can't see the difference. There is no negative results from the violence. "Real men" can take it. As a direct result of this kids now fight harder, and longer. In the past children just wanted to prove they were stronger, now they want to hurt others. These are middle class children, the kind you never hear from. What are the children who are guilty of violent crimes say? Most of them are surprised how easy people can die. There comments are nightmares, and not part of today's testimony. Here are some remarks teachers in Michigan actually heard on the playground. Listen to the children:

- I didn't hit him that hard
- Get up you faker
- He really hurt me
- I just kicked him
- He's crying for no reason.

Children often don't realize that violence effects them. They think if they don't repeat the actual violent act they are not influenced by it. We have demonstrated through the use of media teaching children can learn how violence effects them, and this changes their behavior. These children have not be taught. Listen to the children.

- I watch that stuff all the time
- I learn good kicks moves from the movies
- I learn how to protect myself
- I never beat anyone up
- I think the violence in movies is OK, I hate it when they cut it out of the TV shows.
- Only babies can't sleep after these movies

There is a growing trend of children speaking out against the violence in the media. These children are slowly becoming the majority. They need help they are speaking out, but they need you to listen to the children.

- Showing violence on TV to children teaches them aggressive behavior. Children do not have the intelligence or knowledge to always distinguish the difference between right or wrong, therefore an adult must constantly watch TV with his or her children to explain the differences. There are many days that the TV never gets turned on in our home.—Michelle Boiteau 4th grade Royal Oak Schools
- Violence I think is bad because I think people will see it and then they think it looks fun and then they will do it, and people will die, and these people will go in jails and lots of people will die because they will do what they see on TV—Ashleigh Briggs 1st grade Royal Oak School
- I don't like violence and I don't think it should be allowed on children's television cause kids get too many bad ideas from it and it all adds up. Yes I feel angry about it cause it puts pressure on me and I don't like the pressure always on me and it makes he mad. Nicholas Parch 5th grade—Royal Oak Schools
- Sometimes I feel pressured into violence, but I am learning to walk away.
- When I watch a scary movie afterwards I feel like there is someone after me and I can't sleep. Andy Hill Royal Oak Schools
- My feeling of violence on TV is too much. They should be only four or five, ten at the most.

While some children can't recognize the effects of violence on themselves, they do see it in others. They are concerned with the effects on others, but somehow feel they are not effective. Listen to the children.

- He does the craziest things, anything he see on TV he does
- I hate him he always acts out VanDanne movies on people
- He thinks he's so cool he dresses like VanDanne
- My friend only eats fruit and vegetables because of Tales from the Crypt, when they cut up people and served them as meat. She will not eat vegetables with meat juice in it. Crystal Eisenhardt—Royal Oak

Some children do recognize the effects of violence on themselves and attempt to deal with it in a variety of ways. Many of the children feel they are pressured into watching and playing games they feel are too violent. Children need help in coping and need to be taught strategies. They also need more choices of entertainment. Listen to the children.

- I do not like kill movies, it is gross and bad, and my Dad liked it Gross. Justin 1st grade
- I saw him murdered and it was really real, and I saw the blood and stuff—1st grade
- There I told you, I get bad bad dreams—2nd grade
- It effect me a lot because when I watch a horror film I almost get sick from the blood its just too violent.
- I pretend to watch.
- I close my eyes.
- It doesn't bother me, I know when to get popcorn.
- I once threw up

We agree with the Media industry that censorship belongs in the home, unfortunately there is so much media violence in movies, games, toys, and TV, that parents need help to deal with it. The vast majority of parents feel there is too much violence in the media. They want help in keeping censorship in the home. Here is how some parents are struggling with it. Listen to the children.

- My Mom and Dad don't let me watch T.V. we don't have one—Ricky Ursell—1st grade Royal Oak Schools

- I do not like violent movies because they are scary and my Mom and Dad do not like me and Adam to watch the movies.—Michelle Blair—1st grade Royal Oak Schools
- I think that there is too much sex and violence. Because when I'm watching a movie I'm tired of hearing my mom saying cover your eyes or get a pillow or blanket over you.—Eric Decker—6th grade Royal Oak Schools

A frightening trend is that children have been so exposed to violence that they are not only desensitized to it, but they think a program can't be entertaining without it. Listen to the children.

- I think violence is not bad on television. I think that because kids 11 years old should know that violence is not real on television. I also think that they should have the more the better and that is what I think about violence—Todd 6th grader
- I think we should not get rid of all the violence. Movies don't make sense without the violence—George
- Take any movie you have seen lately. Extract the violence and blood parts from your memory. Now try to remember the move. It's really boring isn't it: It just wouldn't make sense and don't think I'm some kind of violent person but it would just be some old boring movie with the violence.—Carol—5th grader

Children love to play with toys. There is a growing trend for toys based on TV shows and movies. I am not here today to debate the merits of this, but I am here today to request that the entertainment industry, and the toy industry agree not to make toys based on R-rated movies. That is very unfair to parents and children. If they can't see or shouldn't see the movies, why encourage it by making the violent toys to go with it? This pressures the parents into allowing the children to see the video. It lures children into believing violence is entertainment.

- This guy is so cool—he can kill off any toy
- He is just like the movie guy
- The movie isn't bad, I know cause I got the toys, they just rated it R so kids would want to go see it.

I realize my time is running short, but listen to the children, they do want good entertainment. Too many of our children now view violence as good entertainment. The voices you heard today are the cries of middle class American children. They are concerned about the violence in our world as well as effected by the violence they see on the screen. If this is the cry of the Nation's strength, if this is the message they are giving us, then what are the screams of Urban children telling us. Please listen to the children.

We are asking the Senate to encourage industry to adopt the following:

1. Do not advertise R-rated movies before 9:00 P.M.
2. Do not allow videos rated G, GP GP-13 to contain advertising for R-rated movies.
3. All videos should and must be rated in the same manner as movies.
4. All TV shows carry a rating.
5. The rating system should adopt a new system based on the NCTV scale used in rating movies. This will inform the parents on how much violence the movie contains.
6. The toy industry should not make no toys for children based on R-rated movies. The industry must not give the right to market promotional materials to children on R-rated movies.

Children, they are our future, our strength—Listen to the children.

FOR IMMEDIATE RELEASE—JUNE 8, 1993

H.F. GUGGENHEIM FOUNDATION URGES VIGILANCE AGAINST MEDIA VIOLENCE

*—Calls for Monitoring of TV Networks' Compliance With Guidelines To Limit
Violent Content of Programs—*

NEW YORK—The nation's only private foundation devoted exclusively to the study of violence and aggression called today for new vigilance against violence in television programs and motion pictures. In issuing a report entitled "The Problem of Media Violence and Children's Behavior," the Harry Frank Guggenheim Foundation urged parents, children's advocates, Congress, and the entertainment industry itself to monitor the industry's compliance with new self-imposed guidelines designed to limit violent content in television programs.

"A substantial body of scientific research now documents the damaging effects of exposure to violent media content. Many leading scientists are convinced that media violence promotes real violence," said foundation president James M. Hester. "The entertainment industry plays an important role in the epidemic of youth violence sweeping the nation. Parents, children's advocacy groups, and Congress should hold the networks to their promise to curb violence on television."

The foundation called on the entertainment industry to adhere to a 15-point set of standards issued by the three major television networks in December 1992. ABC, CBS, and NBC developed the guidelines in response to a law passed by Congress that protected the networks from prosecution on antitrust grounds if they coordinated efforts to regulate the amount of violence in their programming. The exemption expires at the end of this year.

"The public is anxious about the problem of media violence, but they don't know what's being done to address it," Hester said. "This report supplies up-to-date information, including an important statement by Professor Leonard Eron of the University of Michigan. We hope it will encourage vigilance in monitoring how well the TV networks live up to their own guidelines. They have made a social contract with the public, and they should be held accountable to it."

The foundation report also points out that the motion-picture industry and cable television networks have yet to issue similar standards limiting violence.

"The initiative of the television networks is a step in the right direction, but the remainder of the industry has yet to respond to the warnings of scientists and the protests of concerned citizens," Hester said. "Media violence obviously remains a very serious national problem."

The Harry Frank Guggenheim Foundation supports research in a broad range of disciplines in order to illuminate the causes and consequences of human violence. The foundation's goal is to reduce violence and improve relations among people by increasing society's understanding of violence and aggression.

*OCCASIONAL PAPERS OF THE
HARRY FRANK GUGGENHEIM FOUNDATION*

The Problem of
Media Violence and
Children's Behavior

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Harry Frank Guggenheim Foundation

527 Madison Avenue, New York, N.Y. 10022-4304

Telephone: (212) 644-4907

Printed in the United States of America

The Problem of Media Violence and Children's Behavior

Number Seven

New York, 1993

Occasional Papers of the

Harry Frank Guggenheim Foundation

The mission of the Harry Frank Guggenheim Foundation is to promote research on both the sources of human violence and its reduction. When I assumed the presidency of this foundation, I brought with me the widely shared concern that the frequent viewing of violent television programs and movies by children contributes to violence in our society. I was encouraged to learn that there is a substantial body of scientific research on the effects of exposure to violent media content. A number of researchers are convinced that media violence promotes real violence. Among the most prominent of them is Professor Leonard Eron of the University of Michigan, who has devoted his long and distinguished career to studying the development of aggressive behavior in children. A portion of an address Professor Eron delivered in 1992 at the Harvard School of Public Health is reprinted here. Professor Eron's remarks are followed by a discussion of the television networks' new joint guidelines on television violence and a consideration of violence in motion pictures.

JAMES M. HESTER, *President*
Harry Frank Guggenheim Foundation

Statement to the Harvard School of Public Health

Boston, May 11, 1992

Leonard Eron, Research Scientist, University of Michigan

The scientific debate is over. Ever since the first studies came out in the early 60s relating increased aggressiveness in children to the violent content of the television programs they were watching, there have been a few naysayers who have criticized the studies because, they claimed, the effects were too small to be meaningful or the behaviors which were affected were not serious anti-social acts. However, a recent summary of 200 studies published through 1990, using state-of-the-art meta-analysis procedures,[†] offers convincing evidence that the observation of violence, as seen in standard everyday television entertainment, does affect the aggressive behavior of the viewer. The results from study to study are robust. Further, the meta-analysis includes studies of criminal violence. All types of aggressive behavior, including illegal behaviors and criminal violence, had highly significant associations with exposure to television violence. The studies using criminal violence and other illegal activities as criteria of aggressive behavior yielded findings comparable to studies in which less violent aggressive behavior was the criterion. Thus the behaviors affected by viewing television violence are indeed cause for social concern.

However, although the scientific debate may be over, the public policy debate is only beginning to heat up. I remember testifying in 1972 before the Subcommittee on Communication chaired by Senator Pastore of Rhode Island about the results of our longitudinal study implicating television violence as a cause of aggressive behavior. This was just after the issuance of a report on television and social behavior by the Surgeon General's Scientific Advisory Committee, of which I was a member. We were immediately followed by

[†] George Comstock and Haejung Paik, *The Effects of Television Violence on Aggressive Behavior: A Meta-Analysis*. (Preliminary report to the National Research Council for the Panel on the Understanding and Control of Violent Behavior. Syracuse: S.I. Newhouse School of Public Communications, Syracuse University, 1990).

the presidents of ABC, NBC, and CBS. Each of them, while expressing some skepticism about our results, promised he would do something about reducing the level of violence in programs, especially those for children. Well, they may have tried but there has not been any less violence shown during either prime time hours or those hours during which children are the primary viewers. In fact, displays of violence have increased, and, with the advent of cable, VCRS, MTV, and who knows what else, the three networks are no longer the only problem.

What can be done? As soon as the suggestion for action comes up, the tv industry raises the specter of censorship, violation of First Amendment rights, and abrogation of the Constitution. For many years now, Western European countries have had monitoring of tv and films by government agencies and have not permitted the showing of excess violence, especially during child viewing hours. And I've never heard complaints by citizens of those democratic countries that their rights have been violated. If something doesn't give, we may have to institute some such monitoring by government agencies here in the U.S.A. I hope it doesn't come to that and that the television and film industry will begin to police itself. But youth violence is a public health problem, so designated by the Centers for Disease Control, which has described the situation as an epidemic which must be brought under control. No one is claiming that tv violence is the sole cause of this epidemic. However, it is certainly *one* of the causes and one which we can at least do something about. Is it too much to ask the industry to police itself? . . .

I don't favor censorship and I am jealous of my First Amendment rights, but I don't think some serious self-regulation and monitoring by the tv and film industry is a threat to our constitutional rights. But so far it hasn't happened. Two years ago, Senator Simon of Illinois had a bill passed which exempted the industry from prosecution on antitrust grounds if they got together to regulate the amount of violence in their programs. Even with this kind of encouragement, nothing has happened. . . .

Of course, one cannot absolve parents of responsibility for monitoring their children's television habits. Concerned parents should limit the amount of television their children watch, especially those programs with excessive violent content. They should watch tv with their children, helping them to distinguish between what is

portrayed on the screen and real life, pointing out that the behaviors they see there are not commendable and that there are alternative ways of solving problems. However, in our current society, with one-parent families or two working parents, with cable TV and easy access to theaters, parents are limited in the amount of control they can exert. The TV and film industry has a responsibility to work with them by controlling programming, especially during daytime and early evening hours. The research that psychologists and others have done can offer guidelines on how to present violence to minimize its harmful effects on children.

Gratuitous violence—that which is not necessary to the plot-line—should be drastically reduced or eliminated. Perpetrators of violence should not be rewarded for their violent acts. Those who act aggressively should be punished. Violence should never be excused or justified.

Violent acts should not be committed by the protagonists. The good guys, the heroes, should not be the perpetrators of violence except under unusual circumstances in which it is made clear why the protagonist had to resort to violence.

The devastating effects of violence, the permanence of its consequences, the effect on the survivors, should not be minimized or passed over but should be made clear. The pain inflicted as a consequence of violence should not be minimized. . . .

Since Professor Eron gave this address, the television networks have taken advantage of the exemption from antitrust constraints and have agreed upon a common set of standards regarding violence content. These guidelines, issued by ABC, CBS, and NBC in December of 1992, are consistent with Professor Eron's recommendations:

- 1 Conflict and strife are the essence of drama and conflict often results in physical or psychological violence. However, all depictions of violence should be relevant and necessary to the development of character, or to the advancement of theme or plot.
- 2 Gratuitous or excessive depictions of violence, (or redundant violence shown solely for its own sake), are not acceptable.
- 3 Programs should not depict violence as glamorous, nor as an acceptable solution to human conflict.

- 4 Depictions of violence may not be used to shock or stimulate the audience.
- 5 Scenes showing excessive gore, pain or physical suffering are not acceptable.
- 6 The intensity and frequency of the use of force, and other factors relating to the manner of its portrayal, should be measured under a standard of reasonableness so that the program, on the whole, is appropriate for a home viewing medium.
- 7 Scenes which may be instructive in nature, e.g., which depict in an imitable manner, the use of harmful devices or weapons, describe readily usable techniques for the commission of crimes, or show replicable methods for the evasion of detection or apprehension, should be avoided. Similarly, ingenious, unique or otherwise unfamiliar methods of inflicting pain or injury are unacceptable if easily capable of imitation.
- 8 Realistic depictions of violence should also portray, in human terms, the consequences of that violence to its victims and its perpetrators. Callousness or indifference to suffering experienced by victims of violence should be avoided.
- 9 Exceptional care must be taken in stories or scenes where children are victims of, or are threatened by acts of violence (physical, psychological or verbal).
- 10 The portrayal of dangerous behavior which would invite imitation by children, including portrayals of the use of weapons or implements readily accessible to this impressionable group, should be avoided.
- 11 Realistic portrayals of violence as well as scenes, images or events which are unduly frightening or distressing to children should not be included in any program specifically designed for that audience.
- 12 The use of real animals shall conform to accepted standards of humane treatment. Fictionalized portrayals of abusive treatment should be strictly limited to the legitimate requirements of plot development.
- 13 Extreme caution must be exercised in any themes, plots or scenes which mix sex and violence. Rape and other sexual assaults are violent, not erotic, behavior.
- 14 The scheduling of any program, commercial or promotional material, including those containing violent depictions, should

take into consideration the nature of the program, its content and the likely composition of the intended audience.

15 Certain exceptions to the foregoing may be acceptable, as in the presentation of material whose overall theme is clearly and unambiguously anti-violent.

In the preface to these guidelines, the networks state that "these new joint standards are consistent with each of the Network's long-standing preexisting policies on violence." This is, of course, disconcerting. As Professor Eron points out, television violence has been increasing in recent years despite the existence of the networks' standards. Moreover, the guidelines are qualified by provisos about the sanctity of the creative process:

These written standards cannot cover every situation and must, therefore, be worded broadly. Moreover, the Standards must be considered against the creative context, character and tone of each individual program. Each scene should be evaluated on its own merits with due consideration for its creative integrity.

Unfortunately, the motion-picture industry is not involved in this agreement. Although movies are given ratings based upon sexual content and amount of violence, it appears that little age-screening of moviegoers occurs at the theaters. When the same movies are broadcast on television, they may be edited for language and sexual material but the same scruples are not vigilantly applied to violence. And most movies shown on the premium cable TV channels are not edited at all. In fact, neither cable TV stations nor channels not affiliated with a network were parties to this consensus. And the proliferation of VCRs and their use by children to view movies is, of course, unaffected by the guidelines.

The products of our entertainment industry are loaded with images of violent human behavior. As Professor Eron has concluded, children's behavior is influenced by exposure to this violence; media violence contributes to real violence. The recent initiative of the television networks is a step in the right direction, but the remainder of the industry has yet to respond to the warnings of scientists and the protests of concerned citizens. Media violence obviously remains a very serious national problem.

The August 22, 1992 issue of TV Guide carried a story about violence on television. A panel of scholars, critics, and TV professionals discussed the problem. One of the panelists, Dick Wolf, is the producer of such series as "Miami Vice" and "Law & Order." An excerpt from the discussion is telling:

WOLF: I have an 8-year-old and a 5-year-old child. They've never seen any of the shows I've ever produced. They shouldn't be watching them. They're not allowed to watch Saturday-morning cartoons.

MODERATOR: Why not?

WOLF: Why not? Because they're extremely violent.

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COMMENTS OF WILLIAM F. FORE ON BEHALF OF THE NATIONAL COUNCIL OF THE CHURCHES OF CHRIST IN THE U.S.A.

The National Council of Churches, an agency of thirty-two Protestant and Orthodox communions which have a total membership of about forty million persons, has been concerned about escalating violence in television and motion pictures for many years. These comments are consistent with a policy statement on "Violence and Sexual Violence in Film, Television and Home Video" adopted by the NCC's General Board on November 6, 1986.

THE PROBLEM: NOTHING IS DONE

We are particularly concerned because, despite repeated attempts from Congress during the last twenty-five years, the situation has never improved, but only gotten worse.

In 1969, the National Commission on the Causes and Prevention of Violence pointed out that advertisers were spending \$2 billion each year in the belief that television *does* influence human behavior. It concluded that "violence on television encourages violence forms of behavior and fosters moral and social values about violence in daily life which are unacceptable in a civilized society." It recommended that broadcasters reduce overall violence in programs. Nothing was done.

In 1973, Dr. Jesse Steinfeld, Surgeon General of the United States, reported in a Senate hearing that a study by the National Institute for Mental Health, ordered by Congress, had unearthed "sufficient data" to establish a *causal relationship* between watching television violence and aggressive behavior. Steinfeld testified: "Broadcasters should be put on notice." Network Presidents solemnly pledged to take action. Nothing was done.

Congress held a new round of hearings in 1981. A group of scientists re-examined the National Institute of Mental Health data and reaffirmed its validity. Network Presidents once again testified, insisted television was not the problem—but agreed to do something about the (non) problem. Nothing was done.

In fact, an annual Violence Profile conducted by Dean George Gerbner of the Annenberg School of Communication shows there has been *no significant change* in the high levels of violence throughout the 60's, 70's and 80's. The 1992 profile shows an *increase* in violence during early evening hours.

During the era of deregulation Congress did not even raise the issue seriously for more than a decade—until now. The question is: will Congress act this time, or will it once again merely admonish the media moguls to "take steps" to reduce violence, in which case the result once again will be—nothing is done.

THE RESEARCH IS CONCLUSIVE

Congress and public groups should not be diverted by seeking additional research. The data are there, have been reviewed many times, and are clear: there is a causal relationship between violence in television and film, and violence in real life.

In 1971 Dr. David Pearl's National Institute for Mental Health study showed media violence has four effects on violent behavior:

1. Direct imitation of observed violence.
2. "Triggering" violence which might otherwise be inhibited.
3. Desensitization to the occurrence of violence.
4. Viewer fearfulness.

In 1981 the NIMH update group unanimously concluded that "there is a general learning effect from television" and that the earlier data was still valid.

While it is true that a few of the hundreds of studies have either been inconclusive or not repeatable, the vast preponderance of both laboratory and field studies are conclusive. The laboratory studies have conclusively demonstrated a causal relationship. While it is impossible to show a cause and effect in most field studies, these also have demonstrated a strong positive association.

Dr. George Comstock at Syracuse University reviewed and analyzed *all* the research in media violence up to 1984. He testified that year that "a very large majority of studies report a positive association between exposure to media violence and aggressiveness." He indicated that *the positive association between viewing TV violence and aggressiveness is on the order of a 10 percent variance in behavior*. Looked at across the entire population, and over time, this modest statistical relationship implies a substantial negative effect.

Dr. Pearl pointed out that if only one in a thousand viewing children or youth were affected, a given prime time national audience which includes millions of children and adolescents would generate a group of thousands of youngsters influenced in some way. Further, when we consider the cumulative effect over years, if only a small number of antisocial incidents were precipitated in any one these might well be sufficient to be disruptive and to impair the quality of life for all citizens in that community. This is exactly what we are seeing today.

WHO'S IN CHARGE? NO ONE

The National Council of Churches held its own hearings on violence in the media in 1985, in New York, Hollywood, and Washington. This is what we discovered:

1. Individuals in the industry *are* concerned about the increasing violence in the media in which they work. They personally hate the violence, but feel they are pushed by "others" to include it. The "others" mentioned were directors, writers, producers, production companies, networks and sponsors.
2. Thus we learned: *The media system is so vast and complex that it parcels out responsibility—a little bit to everyone—so that, in the end, NO ONE IS RESPONSIBLE.*

Regarding the system itself, we discovered three major reasons for the prevalence of media violence:

1. The monopoly of control of program production and distribution by a handful of powerful companies.
2. The drive for profits far in excess of those enjoyed by most other businesses.
3. The failure of the Federal Communications Commission to exercise adequate oversight of broadcasting.

SOLUTIONS

There are no simple solutions to so complex a problem. While violence in the media help create a violent environment, the media also reflect violence which stems from a multitude of social ills and injustices. These proposals are only partial first step solutions to a long-term problem. They assume that "urging" by Congress will not be sufficient, alone, to bring about significant change in the media industries, and that changes in law and regulations will be required. We believe these proposals do *not* abrogate First Amendment protections for the broadcasters and cable operators.

1. The broadcasting and cable industries should adopt the Classification and Rating System now in use by the motion picture industry for the broadcast of movies, including the short descriptive phrases that indicate the amount and intensity of violence, now made available by the MPAA. If they do not adopt it voluntarily, they should be required to by the FCC, or by Act of Congress.

2. The broadcasting and cable industries should be encouraged to attempt to develop a modest violence classification system for prime time non-movie entertainment programs.

3. The FCC should be required, by Act of Congress if necessary, to conduct annual hearings, open to the public, in which producers of television programming (networks, stations, syndicators, production houses, sponsors) will be required to explain the process by which decisions are made to determine the content of entertainment programs; the FCC should also be required to assess the incidence of violence in television and cable programs, and to report publicly its findings annually.

4. The FCC should be required, by Act of Congress if necessary, to devise a procedure under which networks, stations and cable systems shall be required to meet regularly with members of the public to discuss and assess the content and effects of entertainment programs, and the relationships of such programs to generally accepted community standards.

5. Broadcast networks, stations and cable companies should be required by law to devote a percentage of their time, production budgets and facilities to children's programming, created in cooperation with a broad spectrum of organizations and individuals with concern for children.

6. Cable companies should be required by law to make the lock-out feature available, without charge, on all channel switching devices it normally provides to its subscribers. New TV sets should also be required to provide channel lock-out.

7. Cable companies should be required by law to place all R and NC-17 rated films on channels separate from other films. This would allow parents to lock out

those channels if they wished to do so. For example, HBO would have two channels: one for R and NC-17 films, another for all other films.

We believe these proposals are practical, fair, and achievable.

The need for action by this Congress is greater than ever, in the light of the rapidly expanding capacity of cable systems.

For further information contact
National Council of Churches: 212-870-2048
William F. Fore: 203-245-3938

**PREPARED STATEMENT OF THE NATIONAL COALITION ON TELEVISION VIOLENCE FOR
SENATOR CONRAD'S PRESS CONFERENCE ON JUNE 7, 1993**

Robert Kennedy in (ironically) 1968 said, "Whenever any American's life is taken by another American unnecessarily—whether it is done in the name of the law or in the defiance of laws, by one man or a gang, in cold blood or in passion, in an attack of violence or in response to violence—whenever we tear at the fabric of life which another man has painfully and clumsily woven for himself and his children, the whole nation is degraded. * * *"

Now, twenty-five years later, and millions of violent media images of death and destruction later, our nation is even further degraded. We do not purport to blame solely the media for our nation's degradation into violence—as other factors such as parental narcissism and exhaustion, poverty and inadequate education—all contribute to the malnourishment of our children's minds and hearts.

However, more than a decade of research conducted by the National Coalition on Television Violence has provided overwhelming evidence that violence on television, as well as in movies, video games, toys and other entertainment, promotes real-life violence and desensitization to violence.

We commend and support Senator Kent Conrad in his efforts to address our nation's No. 1 health problem: media violence. It is an epidemic that is literally raging out of control. There is a paradox to this rage: It is at once the deafening roar of gunshots and explosions we hear on the screen and in our streets—while also being the silence of insidious acceptance.

In recent months, we have seen this insidious acceptance of violence taken to new heights with the planned launching of a NASA-funded rocket, which was due to be emblazoned with an ad for Arnold Schwarzenegger's upcoming movie, "Last Action Hero." What has happened to our minds and hearts that we would allow what was once a symbol of national pride and hope for the future to be desecrated by a symbol of violence? Is this the message we Americans want to send to the rest of the universe? Three months ago, NCTV launched a campaign to stop this rocket ad. We asked people to sign petitions, just as Senator Conrad is proposing to do in regard to TV violence. And thousands upon thousands inundated the offices of President Clinton, NASA, Columbia Pictures and Schwarzenegger with letters, faxes and phone calls. So far, what we have accomplished is that the White House has requested an investigation from NASA. NASA has stated that any of their future grants will contain a mechanism for evaluating the social impact of the project and there has been a delay of the rocket until at least August-September, way past the June 18th release of "Last Action Hero." We won't stop our efforts until it is officially announced that the ad is off the rocket, but there has already been a victory in that the American people have raised their voices against this travesty—this ultimate glorification of violence.

In conclusion, Senator Conrad, the National Coalition on Television Violence would like to thank you for your efforts. There is one caveat, in that NCTV has never advocated censorship and we would strongly oppose any legislation that would limit First Amendment rights. But we hope and trust that your petition drive will have a significant impact upon those in the entertainment industry so that they become voluntarily, if not enthusiastically, more responsible and responsive to the urgent need of our country to cure itself of this epidemic of violence.

As Senator Robert Kennedy said, "The conviction that the mind of man must be free to think and act has kindled a worldwide fire which still burns today. Leadership which is true to the spirit will recognize the source of our happiness; it will know that we will find fulfillment not in the goods we have, but in the good we can do together."

**PREPARED STATEMENT OF THE NATIONAL COALITION ON TELEVISION VIOLENCE FOR
THE HOUSE JUDICIARY COMMITTEE'S SUBCOMMITTEE ON CRIME AND CRIMINAL JUSTICE—DECEMBER 15, 1992**

Today we are addressing what few recognize as the number one health problem in America: media violence. As a psychiatrist and the Chairperson of the National Coalition on Television violence, I can tell you that more lives are damaged or destroyed by the effects of on-screen violence than any other medical problem. Our society has become addicted to a new drug, far more dangerous than any street drug we've seen before. This new drug is media violence, and television is selling this drug 24 hours a day in the living rooms and bedrooms of American families. Our addiction to violence on the screen is manifesting itself by violence in our streets in epidemic proportions * * * and we must do something about it.

The National Coalition on Television Violence, founded in 1980, is the first organization to have made the reduction of glamorized violence on TV its primary objective. The organization has over 3,500 members and receives requests daily from the media and concerned citizens for information regarding the effects of media violence. NCTV conducts its own research and compiles the research of others regarding the effects of violence in: television (from cartoons to prime time) film, books, comics, music videos, war toys, videogames, etc. We have consistently found that violence in each of these media can be shown to have harmful effects approximately 95 percent of the time. Such harmful effects include: becoming aggressive or violent, becoming desensitized to violence and human suffering, anxiety, nightmares and self-destructive behavior. NCTV publishes a newsletter and sends out press releases to disseminate our findings. NCTV is a non-profit, donor based organization with no political, religious or other biases. Its Board of Directors is made up of psychiatrists, researchers and educators. I am currently in the process of developing an Advisory Board made up of members of the entertainment industry.

I will release today the preliminary results of our most recent research. But first let me give you an example of a study which, as Congressmen, you might find particularly interesting. In 1991, NCTV polled suburban children aged 10-13 and found that 66 percent were able to correctly identify the violent film and TV character Freddy Krueger. Only 36 percent of these same children, however, knew that Abraham Lincoln was a President of the United States. I assume you would agree that something is wrong with this picture.

Now for the preliminary results of our most recent Prime Time TV Study. Our researchers have found that the Fox TV Network has the highest number of violent acts per hour by an overwhelming margin. Next came NBC and CBS. ABC had a slightly lower number of violent acts per hour in the prime time shows reviewed. The exact numbers and a list of the most violent TV shows will be released by NCTV later this month.

I speak also as a Psychiatrist, trained here in New York City at N.Y.U.-Bellevue. I have spent the past 10 years researching the effects of media—including violence—on people's minds, I have a Masters degree in Public Health from U.C.L.A. where I studied while on a Fellowship from the National Institute of Mental Health. I work to educate the public about the effects of media by appearing on, and hosting TV and radio shows, and in print. I also work as a script consultant, helping the entertainment industry portray issues more responsibly. I have seen patients' lives torn asunder by irresponsible television—especially by its glamorization of violence.

As a result of my psychiatric research and experience in the entertainment industry, I strongly urge you now to adopt the following proposal to treat the epidemic of violence, which is sweeping our TV sets and our streets:

NCTV 10-POINT PLAN TO SWEEP VIOLENCE OFF TV AND OFF OUR STREETS

1.—NO CENSORSHIP

There should be no Governmental censorship of the media. It must be recognized that upholding the separation of government and media (as well as religion and media) is even more vital to the citizens of the United States, than curbing violence.

2.—RATINGS SYSTEM FOR VIOLENCE

A ratings system which describes the violent content of TV shows should be agreed upon by the networks and cable channels. Ratings would delineate the quantity of violence (in terms of violent acts per show) and the quality of violence (in terms of how graphic and lethal the violence is, whether the overall message is pro- or anti-violence, and how gratuitous the violence is). Ratings would be determined by an independent review board comprised of experts in the field of media violence.

3.—INGREDIENT LABELS

Using the precedent of requiring labels on food products which detail the ingredients contained inside, TV shows should be required to broadcast ingredient labels and use them in TV publicity/listings. Such labels would reflect the results of the ratings system: the quantity and quality of the violence contained inside the show.

4.—WARNING LABELS ON TV SHOWS

Using the precedent established for products such as cigarettes, TV shows should be required to flash a warning label before those shows rated high in violence. The warning label should read: "The TV show you are about to watch may be hazardous to your psychological and/or physical health due to its highly violent content."

5.—WARNING LABELS ON TV ADS

Commercials for war toys (including, but not limited to: action figures, videogames, guns and other weapons) and other violent-themed products, would need to carry appropriate warning labels. These would read: "The toy you have just seen advertised may be hazardous to the psychological and/or physical health of a child due to its theme which inspires violent play."

6.—VIOLENCE ADVISORS ON STAFF

At least one psychiatrist and/or researcher on TV violence should be on staff at each network and cable channel to review its shows and determine the psychological impact of any violence portrayed. This person would then advise the producers and TV executives of the findings and make recommendations as to how the violence can be toned down without compromising artistic integrity.

7.—PUBLIC SERVICE ANNOUNCEMENTS

Networks and cable channels should be strongly advised to carry PSA's which educate viewers about the harmful effects of media violence. Each channel would be advised to carry a number of PSA's per day which would be in proportion to how much violent programming it broadcasts.

8.—"JUST SAY NO" IN GOVERNMENT INSTITUTIONS

No violent TV programming should be offered to residents of government institutions—such as jails and psychiatric hospitals. These residents are often exposed to countless hours of TV viewing, while in a condition where they are particularly vulnerable to its effect, instead of receiving more appropriate psychotherapy and rehabilitation. No children residing in government institutions should be exposed to TV violence.

9.—TAX BREAKS

Tax breaks should be given to networks and cable channels, production companies, foundations, private donors, etc. who provide money to support:

- Research and education on the effects of TV violence.
- Development of non-violent TV programming for children.

10.—MEDIA LITERACY PUBLIC HEALTH CAMPAIGN

A public health campaign should be launched, in the same spirit as campaigns against drunk driving and against the consumption of alcohol by pregnant women, to promote awareness of the effects of media violence. Schools and TV itself would participate in this campaign to create better educated media consumers. Obviously, safeguards must be built in to disallow government and media sources from promoting self-serving agendas.

In conclusion, TV is polluting the minds of children and adults by its selling of the new drug: violence. Just as we need to address the pollution of our environmental resources, we need to address the pollution of our most precious resource: the minds of American citizens. And we need to address it now.

CAROLE LIEBERMAN, M.D.
*Psychiatrist and Chair,
 National Coalition on Television Violence.*

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Prime Time TV Violence and Homicide Increase Fox At Record Levels

For Release: February 10, 1993.

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Once again, TV violence in prime time has increased according to the latest research done by the National Coalition on Television Violence (NCTV). At least 25% of major network prime-time programming (including Fox) during the 1992 Fall season was rated as very violent. The death toll on TV during prime time has also drastically increased.

The report from NCTV researchers based in Champaign, Illinois, named Fox as the most violent broadcast network averaging approximately 11 acts of violence per hour. CBS was the next violent, averaging approximately 9 acts of violence per hour. On the positive side, the three major broadcast networks (ABC, CBS, and NBC) averaged 7.7 violent acts per hour in prime time, down from the 8.6 average registered last year. While the three major networks have made some improvement, the researchers say, *violence levels are still significantly greater than the levels recorded in 1980, at the beginning of NCTV's monitoring project, and violence is portrayed in a much more intense and callous manner.*

The most violent show on major network television is *The Young Indiana Jones Chronicles*(ABC) averaging 60 violent acts per hour. Rounding out the top ten most violent prime-time shows on the four major networks are *Covington Cross*(ABC), *The Hat Squad*(CBS), *Raven*(CBS), *Angel Street*(CBS), *Top Cops*(CBS), *The Edge*(Fox), *FBI: The Untold Stories*(ABC), *Final Appeal*(NBC), *Secret Service*(NBC), and *America's Most Wanted*(Fox).

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This Fall season's homicide rate on TV is 27% higher than last year's rate. Last year, an average of one person was killed every 107 minutes in prime time. This year, murder occurs once every 78 minutes in prime time.

The study also recommended 19 prime-time programs as consistently having prosocial themes or educational content and avoiding glamorized violence, alcohol or tobacco use, and degrading stereotypes. At the top of the list were *60 Minutes*(CBS), *20/20*(ABC), and *I'll Fly Away*(NBC). Other shows named as positive programming were *Life Goes On*(ABC), *Brooklyn Bridge*(CBS), *Full House*(ABC), *48 Hours*(CBS), *Prime Time Live*(ABC), *Dateline NBC*(NBC), *Family Matters*(ABC), *Wonder Years*(ABC), *Homefront*(ABC), *Hangin' With Mr. Cooper*(ABC), *Street Stories*(CBS), *Here And Now*(NBC), *Laurie Hill*(ABC), *Coach*(ABC), and *Home Improvement*(ABC).

The Nielsen ratings for programs high in violence continue to be low for the seventh year in a row. Only *Unsolved Mysteries* managed to make the top 20, ranking 17th place in popularity. Most violent shows now consistently rank in the lower half of the Nielsen ratings. In contrast, a number of the top 20 rated shows were judged to have an overall positive impact such as *60 Minutes*, *Coach*, *Home Improvement*, *Full House*, *Hangin' With Mr. Cooper* and *20/20* (*Electronic Media*, December 14, 1992).

"Media violence is the number one health problem in America today," according to Dr. Carole Lieberman, Chair of NCTV who recently testified at a Congressional hearing where she presented a '10 Point Plan to Sweep Violence Off TV and Off Our Streets.' "Our current research is not intended to implicate only the networks, since independent and cable stations have even higher levels of violence. All those in the media as well as all viewers must work together to curb our society's addiction to media violence," Lieberman said.

Dr. Robert Gould, psychiatrist and NCTV Board member, stated, "Violent programs are inextricably connected with the increased violence in our country--in our lives. The shows glamorize violence and portray it as commonplace. We as individuals become desensitized to violence, more accepting of it, and alas more prone to practice it as a way of solving life's problems.

Until 1956, only 8% of TV programming was high in violence (10 or more violent acts per hour). The rise in TV violence occurred with the advent of the adult western shows in 1956. From 1958 to 1961, programs high in violence made up 33% of the programming. The major networks developed many more highly violent programs in the mid 70's with a record-setting 39% of the programming high in violence. With a national protest by the American Medical Association and the National PTA in 1977, violence decreased to roughly 25% of all program hours. In the early 80's, the major networks averaged six violent acts per hour in prime time. However, even those levels of violence caused considerable public concern. Violence on the major networks reached record levels during the mid 1980's. During this period, almost 50% of the viewing hours contained high levels of violence.

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Current Prime Time Violence

Monitoring Results: September 12, 1992 to November 24, 1992

NCTV's Fall monitoring data cover from September 12 to November 24, 1992—the first ten weeks of the fall season. The following data exclude sporting events and specials which appeared in prime time during the monitoring period. Network averages are calculated from the regularly scheduled series averages and the made-for-TV and theatrically-released movies which appeared on the networks during the period. About 450 network episodes were monitored to produce the following fall season data. The "mean" column in the following grid represents the combined averages of the three major networks: ABC, CBS, and NBC.

Fall 1992 Network Results:

	ABC	CBS	NBC	Mean	Fox
Overall Prime Time	7.0	9.2	7.1	7.7	10.9
Drama/Action	14.3	12.1	0.5	8.9	3.5
Comedy/Variety	1.0	3.5	4.9	3.1	7.5
Documentary/Real Life	3.7	8.3	10.6	7.5	8.4
Movies	6.5	11.0	11.8	9.7	23.3

Fall 1992 Prime Time Monitoring

(September 12 - November 24, 1992)

	Acts of Violence			NCTV	
High Violence:	per hour	Alc	Cig	Rating	
The Young Indiana Jones					
Chronicles(ABC)	60	6	8	RV	
Covington Cross(ABC)	45	6	0	RV	
The Hat Squad(CBS)	42	3	1	RV	
Rave(CBS)	42	0	0	XV	
Angel Street(CBS)	41	9	8	RV	
Top Cops(CBS)	38	10	2	RV	
The Edge(Fox)	33	0	1	RV	
FBI: The Untold Stories(ABC)	28	0	1	RV	
Final Appeal(NBC)	27	0	0	RV	
Secret Service(NBC)	24	5	1	RV	
Fox Movie Average(Fox)	23	6	4R-13/RV		
America's Most Wanted(Fox)	20	2	2	RM/RV	
The Commit(ABC)	17	2	1	RV	
American Detective(ABC)	17	0	0	RM/RV	
In the Heat of the Night(CBS)	13	4	2	RV	
Likely Suspects(Fox)	13	3	0	RV	
NBC Movie Average(NBC)	12	12	2	PG/RV	
The Simpsons(Fox)	12	6	1	R-13	
CBS Movie Average(CBS)	11	10	5R-13/RV		
Haunted Lives(CBS)	11	3	0	RV	
In Living Color(Fox)	11	3	0	RV	
Unsolved Mysteries(NBC)	10	2	1	R-13/RV	
Cope(new)(Fox)	9	0	0	G R-13	
Married With Children(Fox)	9	0	0	R-18	
Quantum Leap(NBC)	8	1	5	R-13	
ABC Movie Average(ABC)	7	12	2R-13/RV		
L.A. Law(NBC)	7	2	0	R-13	
Picket Fences(CBS)	7	2	0	R-13	
Round Table(NBC)	7	9	0	R-13	
48 Hours**(CBS)	6	0	0	R-13	
Down the Shore(Fox)	6	0	0	R-13	
Middle Ages(CBS)	6	10	3	R-13	
The Ben Stiller Show(Fox)	5	3	1	R-13	
Great Scott!(Fox)	5	2	0	R-13	
Knots Landing(CBS)	5	4	0	R-13	
Murder, She Wrote(CBS)	5	5	1	R-13	
Star Trek: Next Generation(Fox)	5	2	0	PG	
Crossroads(ABC)	4	6	0	R-13	
Family Matters*(ABC)	4	1	0	PG	
Full House*(ABC)	4	0	0	PG	
Reasonable Doubts(NBC)	4	7	2	R-13	
Cops (rerun)(Fox)	3	0	0	R-13	
Doogie Howser, M.D. (ABC)	3	0	0	PG	
Funnies People(ABC)	3	0	0	PG	
Herman's Head(Fox)	3	0	0	R-13	

Sightings(Fox)	3	0	0	R-13
Beverly Hills 90210(Fox)	2	1	0	R-13
Civil Wars(ABC)	2	3	0	R-18
Dateline NBC**(NBC)	2	1	1	PG
Dinosaurs(ABC)	2	1	0	R-13
Fresh Prince of Bel Air(NBC)	2	0	0	R-13
I Witness Video(NBC)	2	1	0	R-13
Law and Order(NBC)	2	0	0	R-13
Martin(Fox)	2	1	0	R-13
Melrose Place(Fox)	2	4	0	R-13
Parker Lewis(Fox)	2	0	0	PG
Prime Time Live**(ABC)	2	0	1	PG
Seinfeld(NBC)	2	3	1	R-13
Woops!(Fox)	2	0	0	OPGR-13
60 Minutes***(CBS)	1	0	0	PG
Delta(ABC)	1	3	0	R-13
Designing Women(CBS)	1	3	0	R-13
Golden Palace(CBS)	1	0	0	R-13
Hearts Afire(CBS)	1	2	2	R-18
The Heights(Fox)	1	8	0	R-13
Home Improvement*(ABC)	1	1	0	PG
Homefront*(ABC)	1	5	0	R-13
I'll Fly Away***(NBC)	1	2	1	R-13
Life Goes On***(ABC)	1	2	0	PG
Mad About You(NBC)	1	4	0	R-18
Major Dad(CBS)	1	0	0	PG
Northern Exposure*(CBS)	1	7	2	R-13
The Power That Be(NBC)	1	1	0	R-13
Roc(Fox)	1	3	0	PG
Sisters(NBC)	1	2	1	R-13
Street Stories***(CBS)	1	0	0	RM
Wings(NBC)	1	1	0	PG
Wonder Years*(ABC)	1	1	0	PG
A Different World(NBC)	0	1	0	R-13
Blossom(NBC)	0	0	1	R-13
Bob(CBS)	0	1	0	R-13
Brooklyn Bridge*(CBS)	0	0	2	PG
Camp Wilder(ABC)	0	1	0	PG
Cheers(NBC)	0	11	1	R-18
Coach*(ABC)	0	0	0	PG
Code 3(Fox)	0	0	0	PG
Empty Nest(NBC)	0	1	0	PG
Eveoing Shade(CBS)	0	10	0	R-13
Flying Blind(Fox)	0	2	0	R-13
Franchie's Turn(CBS)	0	5	0	R-13
Funnies Home Videos(ABC)	0	0	0	PG
Going to Extremes(ABC)	0	3	1	R-13
Hangin' With Mr. Cooper*(ABC)	0	0	0	PG
Here and Now*(NBC)	0	2	0	PG
Laurie Hill*(ABC)	0	0	0	PG
Love & War(CBS)	0	3	1	R-13
Murphy Brown(CBS)	0	2	0	R-13
Nurses(NBC)	0	0	0	PG
Out All Night(NBC)	0	3	0	R-13
Rescue 911(CBS)	0	0	0	PG
Rhythm and Blues(NBC)	0	0	0	PG
Room For Two(ABC)	0	2	0	PG
Roseanne(ABC)	0	0	0	R-13
Step By Step(ABC)	0	0	0	OPGR-13
What Happened?(NBC)	0	0	0	PG

NCTV Methods

Objective System- Violence Numerical Scores:

NCTV violence scores are actual counts of physically violent acts, hostile acts committed with the intention of hurting another person. NCTV also uses a weighting system so the minor acts of violence, such as an angry push or shove, count very little (1/3 of an act of violence), and violence with serious consequences such as an attempted murder, murder, rape or suicide count as somewhat more than a standard act of violence (1 2/3 acts of violence). NCTV subjective letter ratings system recognizes that not all violence is equal. Programming that teaches the tragic impact of violence on human life and sensitizes people to the serious issue of violence is applauded by NCTV. Examples of this would be the documentary *Holocaust* about Hitler's genocide of Gypsies, Jewish people, religious leaders, homosexuals, and others. Another example would be the violence in the movie *Gandhi* or even the crucifixion of Jesus in *The Bible*.

Subjective System-

NCTV Ratings Explained:

NCTV's rating system is based on current MPAA concepts, but also incorporates the idea that ratings should inform and that movies or any other video material for children and adolescents should not teach violence. G is given to programs that contain no harmful material whatsoever. PG means that there is some non-harmful material that requires some adult guidance for children to understand correctly. PGV is given when violence may frighten some young children, but probably does not teach violence. R-13, a rating once considered by the MPAA and which would have encouraged theater owners to keep children out of such films without an adult guardian, is given by NCTV when violence probably has some harmful effect, promoting minor amounts of violence, contains anti-social themes that parents should discourage, or the program may contain mature sexual material that may not be suitable for children to view. RM is given when the program is not considered to have a harmful effect but whose viewing contains material, especially non-degrading sexual or a loving and caring nature, that should be restricted to a mature, adult viewing audience. R-18 is given to programs containing sexual material of a harmful nature, or harmful material, other than violence, with more than minor harmful anti-social effects. RV is given when the program is likely to cause viewers to become more prone to anger and violence according to existing research studies, but where the violence is not especially gruesome, sadistic, graphic, or intense. X is given to programs with serious exploitative or degrading sexual content as the main effect. XV is for big levels of intense violence of a very harmful nature, where violence is strongly glorified or used to excite. Many of these programs glorify themes of revenge. XUnfit is used for extreme or sadistic violence with graphic or gruesome characteristics. Intensely callous and degrading sexual material, especially when associated with violence tends to fall into this category. Plots, for example, pitting U.S. vs. the Soviet Union or using the assassination of major political figures also increase the seriousness of the rating when violence and hatred are glorified, promoted, or used to excite. Films or programs with only a moderate number of murders and rape may be XUnfit, if the scenes last a long time and are marked with intense excitement. Most pornographic films, because of the intense, degrading, and callous sexual portrayals are included in this category. However, loving, caring, and tender sexual

portrayals between adults does not themselves raise a program above the RM rating category.

NCTV recognizes that its ratings are subjective (however, the ratings are based on the findings of scientific research) and may not be the same ratings given to movies by all informed and concerned reviewers or independent public movie rating boards. NCTV's violence score is an objective count of the actual acts of violence per hour in the given movie with a greater weighting given to murder and rape, and lesser weighting for mild violence, e.g. a push or a shove. NCTV's movie ratings takes violence seriously, not only the fright that some movies cause in some viewers, but also more seriously the desensitization to and teaching of violence to viewers of all ages. NCTV notes that fright after seeing violence is actually a healthy response and its absence is usually a sign of some desensitization. The enjoyment of violence is a sign of serious, though perhaps unconscious, harmful effects.

Recommendation System-

Stars:

* to **** stars are based on amounts of pro-social or educational material in a given program, and are not indicative of entertainment considerations such as quality of acting, cinematic technique, etc. NCTV supports programming which depicts the harmful consequences of violence, drinking, and smoking. Programs which stress problem resolution through nonviolence, break down divisive stereotypes, promote strong family and social bonding, or contain high educational content are strongly applauded by NCTV. In general, NCTV calls for more and supports existing warm, challenging and thought provoking programming for all ages.

1992 Fall Season TV Films:

The following is a listing of the most violent films appearing on the major broadcast networks during the early fall season period. Made-for-TV movies, mini-series, and theatrically-released films make up an increasingly greater portion of the broadcast network schedules. Much of the violence on the major networks comes from the violence in the televised movies.

Film(network)	V/Hr.
The Hard Way(NBC)	76
Die Hard(Fox)	55
Dune Parts 1 & 2(Fox)	43
Harlem Nights(Fox)	29
Tales from the Darkside(Fox)	27
With A Vengeance(CBS)	25
Back to the Future II(ABC)	24
In the Line of Duty: Street Wars(NBC)	24
Problem Child 2(NBC)	24
When No One Would Listen(CBS)	21
In the Deep Woods(NBC)	20
Perry Mason...Silent Singer(NBC)	18
Terror on Track 9(CBS)	17
Exclusive(ABC)	16
A Brother's Justice(Fox)	14
Star Man(Fox)	14
Survivors(Fox)	13
Lady Boss Parts 1 & 2	12
Jewels Parts 1 & 2(NBC)	11
Overkill: The Aileen Wournos Story(CBS)	11
Perry Mason...Ruthless Reporter(NBC)	11
Perry Mason...Heartbroken Bride(NBC)	10

Prime Time Television Violence Since 1980

The first four columns represent the average acts of violence per hour for each network. Columns five and six contain combined averages of the three major networks (ABC, CBS, and NBC). These data exclude movies, sporting events, and specials. A "Violent Program" is defined in this context as a program with a score 10 or more adjusted acts of violence per hour. Column seven represents the actual number of weekly prime time series (on the three major broadcast networks) which were high in violence, i.e. 10 or more acts of violence per hour.

Period	V/Hr ABC	V/Hr CBS	V/Hr NBC	V/Hr Mean	% of Hours Violent	% of Violent Programs	# of Violent Programs
Summer '80	5.1	4.9	7.5	5.8	26.2	21.7	10
Fall '80	5.8	6.1	4.9	5.6	24.4	20.0	11
Fall '81	7.9	6.2	5.2	6.1	29.1	23.5	16
Fall '82	10.2	8.3	7.6	8.7	36.9	28.8	19
Fall '83	12.6	7.2	10.9	10.2	36.5	29.7	19
Fall '84	11.7	13.8	15.4	13.6	44.9	36.9	24
Winter '85	14.6	13.0	14.2	13.9	48.3	38.7	29
Fall '85	17.0	9.4	13.5	13.3	48.1	40.0	26
Fall '87				9.8	34.0	33.9	20
Fall '89	9.5	8.4	10.6	9.5	29.2	22.5	16
Fall '90	7.8	9.0	7.2	8.0	24.1	17.6	13
Fall '91	9.8	10.0	6.1	8.6	25.0	20.8	16
Fall '92	7.0	9.2	7.1	7.7	24.3	17.0	14

Prime Time Shows High in Violence on the Three Major Broadcast TV Networks

Fall 1980

Enos (22)
 Sheriff Lobo(22)
 BJ & the Bear(17)
 Hart to Hart(17)
 The Incredible Hulk(16)
 Charlie's Angels(14)
 Hill Street Blues(14)
 Vegas (13)
 Nero Wolfe(11)
 Dukes of Hazzard(11)
 Soap (10)

Fall 1984

Hammer(55)
 A-Team(54)
 V(52)
 Matt Houston(40)
 Cover-Up(38)
 Fall Guy(37)
 Airwolf(33)
 Hunter(33)
 Street Hawk(31)
 Scarecrow & Mrs. King(31)
 Miami Vice(28)
 TJ Hooker(28)
 Riptide(26)
 Hawaiian Heat(26)
 Night Rider(23)
 Hardcastle & McCormick(23)
 Dukes of Hazzard(23)
 Simon & Simon(23)
 Remington Steele(22)
 MacGruber & Loud(21)
 Hot Pursuit(20)
 Magnum P.I.(20)
 Moonlighting(18)
 Jessie(16)
 Crazy Like a Fox(15)
 Partners in Crime(15)
 Otherworld(13)
 Hill Street Blues(13)

Fall 1992

Young Indians Jones(60)
 Covington Cross(45)
 The Hail Squad(42)
 Raven(42)
 Angel Street(41)
 Top Cops(38)
 FBI: The Untold Stories(28)
 Final Appeal(27)
 Secret Service(24)
 The Commish(17)
 American Detective(17)
 In the Heat of the Night(13)
 Haunted Lives(11)
 Unsolved Mysteries(10)

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April 22, 1993

Dear NCTV Members and Friends:

We are about to witness an unprecedented glorification of media violence: An ad for Arnold Schwarzenegger's upcoming movie (*Last Action Hero*) is due to be launched on a NASA-funded rocket in June! Columbia Pictures is paying half a million dollars for this ad, promoting a movie which has 30 acts of violence in the three-minute trailer alone! NASA is using \$85 million of our taxpayer money to fund the research and development of this rocket through its COMET program.

NCTV has launched a protest campaign to stop the Schwarzenegger ad from appearing on this NASA rocket -- a betrayal of the public interest and trust. NCTV's protest has so far been featured on *The Donahue Show*, several TV newscasts, Turner Entertainment Television; nationally syndicated radio as well as stations in New York City, Chicago, Los Angeles, etc; and nationwide print. Each day we try to reach more Americans with our urgent call to stop the ad from being launched.

We need your help! Please take a stand against the Schwarzenegger rocket ad by contacting: President Bill Clinton, NASA, Columbia Pictures and Arnold Schwarzenegger now. We have enclosed a page which can be duplicated and mailed or faxed to them. You may also call the NASA Complaint Hotline at 1-800-424-9183. Please tell as many people as possible about our protest so that we can enlist their help in stopping this launch of violence into the universe and into our future! Thank you.

Sincerely,

Carole Lieberman, M.D.

Carole Lieberman, M.D.
 Chair, NCTV

Reminder -- Don't forget to renew your membership to NCTV if you haven't done so already. Donations are also always needed and very much appreciated.

Los Angeles Times

CALENDAR

Counterpunch

Ad Says Worlds About Us

By DR. CAROLE LIEBERMAN

I **s**omething sacred anymore? Apparently not. Even exclusive balloons can be bought for the right amount of money and political connections ("Action! Promotion Is Out of This World," Calendar, page 2).

Putting an ad on a rocket, most particularly the logo for Arnold Schwarzenegger's upcoming movie "Last Action Hero," summarizes at once what is wrong with America: its descent into commercialism run amok and primitive violence.

Whether or not you believe that extraterrestrial beings exist, would this ad be the introductory message you would want to send to them in case they do? Shouldn't we be searching for something more meaningful and substantive to communicate? What has become of the American intellect, creativity and spirituality? Have they crumbled under the weight of billboards promising us we're worthless unless we buy product X? And all it takes screaming back at us that we know are?

There have been hints that America has turned into a "vast wasteland," satisfied to be the "lowest common denominator." When communism fell and all America had to offer people starving for culture was fast food were hamburger stands and pizza take-outs to dot their landscape, the hints became a certainty.

Now we are traveling to even farther destinations. And it is becoming ever more painfully clear that too many of us have succumbed to "battle-fatigue" in our struggle for survival. We have lost everything meaningful to say, forgetting why meaningfulness was ever important in the first place.

How else can we explain the insanity that led to the choice of an Arnold Schwarzenegger movie logo as our first message to the stars that may exist in outer space? Arnold Schwarzenegger has become the God of Violence, worshipped as the God of Violent Power by the disenchanted and powerless masses. His movies are orgies of mayhem that average more than 100 acts of glorified violence per hour.

Publicly promoting the "Last Action Hero" would at best be a violation of the law, what the connaît said, "Terminator 2," which contained more than 180 acts of violence. Just because "Terminator 2" implied that nuclear war was bad and Arnold refrained from killing most of his victims — only maiming them instead so that they contorted on the ground like bugs with some of their legs pulled off — doesn't make it a statement of anti-violence.

The fact that the giant Schwarzenegger balloon is launched over New York City, to trade its name sticks for a police badge after a life-imitated art at the World Trade Center even before the movie was released, does not bode well for the "Last Action Hero."

America, as the No. 1 exporter of violent films, is now reaching new heights, literally. Who knows, we might get to the moon before we realize that we thought, as they flock to Earth to see the latest Schwarzenegger flick, hooked by the glitzy rocket ad to come to the theater nearest them.

Well, come Columbia isn't paying half-a-million dollars to attract beings from outer space — until a life can pay for their tickets with U.S. currency and weapons. The media coverage of the rocket launching will pay for the ad many times over as it brings curiosities into theaters in record numbers.

One can only hope that any life forms in outer

'Action' Promotion Is

■ **M**ovies: Sources said the stunt, in which the movie's logo will be painted on a NASA rocket, will cost Columbus about \$500,000.

By DAVID J. REA
Times Staff Writer



space are highly evolved enough to recognize the Schwarzenegger movie ad for what it really is — a warning. Unless they are more careful than we have been not to abuse the power of media, then they, too, will find the riches of their galaxies depicted until made barren by greed and violence.

Meanwhile, we here on Earth need to wake up from our media-induced passive slumber and protest this travesty! We need to rediscover, nurture and protect our storehouses of American intellect, creativity and spirituality before they are taken to the grave and sold to the highest bidder — just like the NASA rockets.

We must not allow an icon of destruction to mock and besmirch our rockets, once symbols of idealistic challenges met. If we do not only our rockets — but our souls — will never soar again.

Carole Lieberman is a media psychiatrist, script consultant and talk show host based in Beverly Hills. She also chairs the National Coalition on Television Violence.

COUNTERPUNCH
CAROLE LIEBERMAN: The talk show host writes "The movie ad on the side of a NASA rocket summarizes at once what is wrong with America." F3

NATIONAL COALITION ON TELEVISION VIOLENCE

STOP THE SCHWARZENEGGER ROCKET AD!



To: _____ President Bill Clinton

NASA

Columbia Pictures

Arnold Schwarzenegger

DON'T USE OUR NASA-FUNDED ROCKET TO GLORIFY MEDIA VIOLENCE!
PROMOTING MEDIA VIOLENCE TODAY MAKES VIOLENCE IN OUR HOMES
A REALITY TOMORROW!!!

Signed: _____

TO PROTEST THE SCHWARZENEGGER ROCKET---

Contact: NASA

by telephone: NASA Complaint Hotline: 800-424-9183

by fax: 202-358-4345

by mail: Dan Goldin, Administrator
NASA Headquarters
Washington, D.C. 20546

Contact: Mark Canton, Chairman Columbia Pictures

by telephone: 310-280-8000

by fax: 310-280-1854

by mail: 10202 W. Washington Boulevard
Culver City, CA 90232

Contact: President Bill Clinton

by telephone: 202-456-1414

by fax: 202-456-2461

by mail: 1600 Pennsylvania Avenue
Washington, D.C. 20500

by computer: CompuServe 753-00, 3115
America On Line Clinton (Space) PZ

Contact: Arnold Schwarzenegger

by fax: c/o Charlotte Parker
310-478-2399

by mail: 11500 West Olympic
Suite 400
Los Angeles, CA 90064



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